The Nation.

NEW YORK, THURSDAY, APRIL 11, 1889.

The Week.

THE action taken by the Vermont delegation at Washington in designating by unanimous vote the persons to be appointed as Collector of Customs at Burlington, United States District Attorney, United States Marshal, Bank Examiner, and Pension Agent, leaves the President very little to do in that State. If similar action were taken by all the State delegations, the time at his disposal for public receptions and hand-shaking would be very much enlarged. It is quite true that this course was suggested by the President himself when he told Mr. Niedringhaus, M. C. from Missouri, that he would like to have the Republican Congressmen from that State get together and designate the men they wanted to have appointed as consuls and foreign ministers. However harmonious, therefore, the joint action of President and Congressmen may be, it is necessary to point out that the plan of action involves substantially an amendment of the Constitution without the formula of submission of the same either to the people or to the State Legislatures. "The President shall nominate, and by and with the advice and consent of the Senate, appoint," all officers, is the language of the present Constitution. "The Congressmen shall nominate, and the President shall thereupon appoint and the Senate confirm all officers," would be the language of the Constitution thus surreptitiously amended.

It should be noted, also, that this is the first time that such a practice has been reduced to form. However much yielding there may have been heretofore on the part of the Executive to Congressmen, there has been nothing like an admission by the President of a right on the part of Congressmen to make a chart of the State patronage for the President to follow. When the Pennsylvania delegation, in Mr. Hayes's term, met at the instance and request of Secretary Evarts and designated Simon Cameron for Minister to England, the President refused to send his name in. When, a few days later, the Illinois delegation, at the like instance and request, met and designated Col. Ingersoll for Minister to Berlin, the Secretary himself refused to send the name to the President. It is quite probable that the present Ohio delegation would have voted unanimously for Mr. Halstead as Minister to Germany; and as this corresponded with the President's inclinations, the name would have gone to the Senate and would have been rejected, and thus the surreptitiously amended Constitution would have been broken at the start. We think that the present Constitution should be followed and obeyed in letter and spirit until it is amended in the way provided in the instrument itself. If it is inconvenient for the President to perform his constitutional duty of selecting ministers and all public officers, owing to the magnitude of the undertaking, the reform should be in the direction of an improved civil service, limiting the number of changes to be made to those which have a clear relation to and bearing upon the political side of the Government as distinguished from the administrative.

The editor of the *Iowa State Register* is Mr. J. S. Clarkson, who is not "on deck," however, at present, being entirely engrossed, as Assistant Postmaster-General, in redeeming the civil-service reform pledge of the last Republican National Convention by turning out efficient postmasters at the rate of hundreds a day, simply because they are Democrats and their places are wanted by hungry Republicans. Mr. Clarkson will probably read with some surprise a leading editorial article in his paper of Saturday last on the New York appointments, wherein appears this remarkable passage: "Mr. Van Cott, who was appointed Postmaster at New York to succeed Mr. Pearson, whose term had expired, *is said to have been connected with the Post-office for many years. His promotion, therefore, is in the line of true civil-service reform.*" This extraordinary blunder puts in its true light the disgraceful character of the change in the Postmastership. If for any good reason Mr. Pearson were to be removed, "the line of true civil-service reform," as the *Register* correctly says, required the promotion of some good and efficient subordinate, who had been "connected with the Post-office for many years," instead of bringing in from outside a spoilsman who had no experience whatever. No severer condemnation of President Harrison's act could be pronounced than was uttered by the *Iowa State Register* when it pointed out what his pledge to advance the cause of civil-service reform required of him in the matter of the New York Post-office, if for any reason he were not prepared to reappoint Mr. Pearson.

Considering that it is edited by an Extraordinary Envoy and professional diplomatist, the *Tribune's* treatment of Mr. Van Cott's appointment is very clumsy. It says in its local columns that, in appointing Mr. Van Cott, the President had "selected a Republican of whose party loyalty there could be no doubt;" that "Mr. Van Cott has been an active worker in behalf of the party in this city for over thirty years, has kept his district in line, and never failed to have it support the party ticket faithfully at the polls. In describing the effect of the news in the Post-office, it says it "created consternation among some of the employees of the Post-office who have been outspoken Democrats during the last four years, for Mr. Van Cott is known by them to be an ardent Republican." This same view is maintained by the Minister to France in the editorial columns, for it is there said that "Mr. Van Cott has been an energetic Republican politician all his life," that the President "has selected from among the leaders of his party an active politician, who is also a man of character and capacity," and that "party organization cannot be maintained by ignoring party leaders." So far all is straightforward admission that the new Postmaster is appointed in order to put the Post-office back into politics; and if the Ministerial Editor had stopped there, he would have shown the courage of his convictions, would have avoided all appearance of a disposition to "pander a little to the moral sense of the community," and would not have committed the diplomatic blunder of giving an excuse for what he had thus far argued to be a laudable action. But he went on and added: "It is a fact that the New York Post-office has declined in efficiency since 1885, and has not for years been in so unsatisfactory a condition as during the year 1888." In addition to being a grave diplomatic blunder, this is a bald untruth, which will be recognized as such on sight by every man who reads it.

New York is obviously entering upon the most remarkable "spoils" era in its history. On the Republican side the President, in cordial alliance with "Tom" Platt, is making arrangements to turn over all the Federal offices and patronage to the "Boys" for the purpose of building up a Republican Machine which shall carry everything before it. The scheme includes the building of a grand Republican hall, as a rival for Tammany Hall, and for this all the good business Republicans, like the famous John F. Plummer, are contributing generously of the money which they make out of the high tariff. This hall will give the reorganized and multiplied Boys a headquarters worthy of their Machine and its purposes; and the Post-office, Custom-house, and other branches of the Federal service are expected to furnish thousands of workers with good "places" and the means of subsistence. On the Democratic side, Mayor Grant, as the representative of Tammany Hall, is working hand in hand with Gov. Hill to strengthen and extend the power of Tammany by using the city and State patronage in every possible way for Tammany's benefit. The Mayor's unrestricted power of appointment will give him unprecedented opportunities in this direction, and we shall be able to see how he is going to use them when he makes his first batch of appointments on May 1. If the Legislature shall pass his Rapid-Transit Bill in the form in which he and the Governor desire—that is, giving him the power to select all the Commissioners, and thus virtually control the matter—he will secure a plum of patronage which will be of enormous value.

It will be interesting to watch the effect upon public sentiment here of these two

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onslaughts for "spoils." The leaders in both movements have not the slightest concern for the public interests or the public rights. They are all seeking the same object—that is, the building up of a machine which shall be powerful enough to control the vote of this State in the next Presidential election. "Tom" Platt has obviously convinced the President that, if he will allow him to distribute the New York patronage among the "Boys," he can build up an organization here which will make New York a Republican State in 1892. Now, as a matter of fact, New York cannot be made a Republican State without Democratic treachery; and that kind of aid will not be forthcoming in 1892 if Gov. Hill succeeds in his plans for constructing, with Tammany aid, a Democratic Machine which will nominate him for the Presidency. If he is himself a candidate, he will not consent to "trade off" his ticket in the interest of the Republican candidate. In other words, if both of these "spoils" schemes are carried out, there will not be a Hill and Harrison combination in 1892, but Hill and Harrison will be running against each other—one with all the city and State patronage behind him, and the other with all the Federal patronage behind him. But 1892 is a long way off yet, and before it arrives the prostitution of public trust involved in the double experiment may arouse an indignation which will seriously interfere with both plans. But that both plans are about to be put in operation, there can no longer be any reasonable doubt.

The latest news from Rhode Island shows that nothing except the State's constitutional requirement that a majority over all is necessary to elect any candidate to office, has saved the Republicans from defeat. If, as in all but a very few other States, a plurality had been sufficient to elect, the Democrats would now be shouting over a "great victory in Rhode Island," for their candidate for Governor has a plurality of 4,398. They have elected one of their candidates, that for Attorney-General, and their candidate for Governor is within a few hundred votes of a majority over all his three competitors. The Legislature is Republican by some dozen votes on joint ballot, but the House is Democratic. A year ago the Republicans elected their entire State ticket by about 2,000 majority over all, and secured 91 out of the 109 members of the Legislature; the Democrats having only 17 members and the Prohibitionists 1. The drop from a majority of seventy-three to a meagre if not bare majority is very significant. Like the vote on the State ticket, it indicates that something like a reaction is in progress in the State. Harrison's majority in it in November was over 3,000, and his plurality over 4,000.

The one striking feature of the recent municipal elections throughout the West is the great amount of independent voting. The party organs were sure after the Presidential election that the Mugwump was at last dead and buried, and that there would never be any more trouble from that objectionable personage. But here he is again, "alive and kicking"—smashing a Republican machine here, ousting a Democratic ring there, going in for the best men everywhere, without any regard to party labels.

In an interview in a morning paper, Mr. John A. Kasson, one of our Commissioners to the Berlin Conference on Samoan affairs, says that it is not to be supposed that Prince Bismarck will object to Mr. Bates as one of the American conferees merely because he wrote a magazine article saying that the German Government had lied to us, and that her sailors tore down our flag and trampled on it, and that no conference ought to be held until Germany had offered fruits meet for repentance, which she has not yet done. All such sayings, in Mr. Kasson's opinion, will be overlooked by a man of broad views like Bismarck. On this point we differ altogether from Mr. Kasson, but our concern is more with our own Government and our own standing among nations than with the Bismarckian frame of mind. How Mr. Bates can consent to go as a Commissioner after publishing the article is a mystery. How our Government can let him go after being made acquainted with the article, is a greater one. But greatest of all is the mystery of his appointment in the first place if our Government knew beforehand that the article had been written and would be in Berlin before the Conference could assemble. We assumed, when the article first appeared, that the appointment must have been made in ignorance of it. We are now informed that Mr. Blaine was made acquainted with the article beforehand. If this is the fact (and the retention of Mr. Bates as a Commissioner certainly points that way), the conclusion is plain that Mr. Blaine wants to widen the breach with Germany and not to close it. The refusal of Germany to receive Mr. Bates must have been anticipated and prepared for. Bismarck is not a man of meekness, but, well seated as he is, we do not believe that he could hold his place at home if he should consent to treat with a person who had said what Mr. Bates said of the German Government and sailors in the *Century* article. Another piece of news which has reached us, but upon less authentic information, is that another article by Mr. Bates on the same subject and in the same tone is to appear in the May *Century;* and that this, too, has been known all along to the Department of State.

A rather late-coming speech, but one that deserves commendation, is that of Congressman Butterworth of Ohio, on the anti-social and uncivilizing tendencies of trades unions which resist the use of labor-saving machinery. The speech was made on the item in the Sundry Civil Bill relating to the use of steam-plate presses in the Bureau of Engraving and Printing. The Senate and House disagreed as to the use of steam-plate presses, the former body passing the appropriation for their use, and the latter, being "nearer to the people," rejecting it. The upshot was, that the House consented to the use of the steam presses, provided that no payment should be made to the patentees of the machines, or only a nominal sum. Thus the Senate carried its point in appearance, and the House carried its point in fact. Mr. Butterworth's speech is published in the *Congressional Record* of April 2. It first goes over the grounds of the controversy, showing that the opponents of the steam presses were completely baffled by the tests made to show the character of the work done by the presses. "The experts," he said, "who were called by the organization which is seeking to have these presses thrown out, having placed before them a number of bills, a part of which were printed by the steam presses and a part by the hand presses—that part of each bill by an inspection of which they would be enabled to tell whether it was printed by hand press or by the steam plate-press being concealed, and the expert interrogated as to which was the better work—three times out of four selected the bill printed by the steam plate-press as being the better work, as it doubtless was." It was shown, moreover, that there are not hand-plate printers enough in the United States to do all the work, and that steam presses are an absolute necessity in private establishments if not in the Government offices. "The throwing out of the steam presses from the Bureau is, therefore, equivalent to creating a privileged class of workmen in the Government employ." Mr. Butterworth then enlarged his theme to take in Mr. Powderly and the Knights of Labor, and the practice of boycotting and driving non-union men out of employment, and gave the whole lot of anti-social and uncivilizing agencies a well-deserved lashing. It required no little courage to make such a speech.

It is necessary to point out that the smuggling in which the firm of Allard & Sons are implicated has nothing to do with undervaluations, or appraisements, or "sugar frauds," or tobacco frauds. It is simply a case of deception in the packing and transportation of goods, the same in kind as the smuggling of opium across the Manitoba frontier a little while ago. A good sleight-of-hand performer can deceive the most watchful persons by mechanical contrivances that nobody anticipates or suspects. Thus a valuable picture can be concealed between a mirror and its backing, and rich tapestry can be stuffed into the upholstery of a chair or sofa, just as a lot of opium can be conveyed in the interior of a single pumpkin in a farmer's load. The smuggler takes his risk, and, if he is caught, he must pay the penalty. It is safe to say that such smuggling goes on all the time, more or less, at all ports and in all countries which collect duties on articles containing much value in small bulk, whether the duties be levied for protection or for revenue only. The only way to insure perfect honesty in the importation of such articles is to repeal the duties. Of course, those who violate the law must be punished; but since it is the aim of the law to pre-

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vent rather than to punish, it would seem to be the part of statesmanship to take away the motives and incentives to smuggling as far as the needs of public revenue will justify, and to put on the free list such articles as diamonds, laces, tapestry, pictures, and similar articles which most easily evade the customs laws. These things generally do not compete with domestic industry. The duties are therefore not protective, and they are not now needed for revenue. It should be mentioned that the purchasers of the goods from Allard & Sons paid the full price of duty-paid articles, and are entirely guiltless. But the law gives the Government a claim on the goods wherever found. They may, therefore, be compelled to pay the amount of the duties a second time, in which case they will have been swindled just as they might be by a counterfeiter or a confidence game.

Few decisions will have a wider influence for good on railroad investments than that of the Chancellor of Alabama in the case of the Memphis and Charleston Railroad. The East Tennessee, Virginia and Georgia Railroad, having acquired a controlling interest in the stock of that road, is charged with operating it in the interest of the owners of the majority of the stock, so that the minority of the stockholders are deprived of the advantages of its situation in obtaining traffic with all roads with which it connects. The object of the purchase by a railroad of the majority of the stock of another is to operate the latter as a feeder to itself. It is fully indemnified for any loss its investment suffers in the decreased earnings of the purchased railroad, by the destruction of competition with other roads, and by the *long haul*, over its own system, of whatever traffic is received from the road operated not with a view to the development of its proper traffic, but of that of the roads of its principal stockholder. The loss falls on the individual stockholders, the benefit inures to the railroad holding the majority of the stock. This the court refuses to sanction, and practically disfranchises the stock held by the controlling railroad as a voting power in the management, and places the control of the Memphis and Charleston Railroad in the hands of its individual stockholders, who hold it for the purpose of investment.

The following words, quoted from the *Times* of March 28, explain the grounds of the decision:

"If a corporation can purchase any portion of the capital stock of another corporation, it can purchase the whole, and invest all its funds in that way, and thus be enabled to engage exclusively in a business foreign to the purposes for which it was created. A corporation may without express authority acquire shares in another corporation in payment of or as security for a claim which is in danger of being lost through the insolvency of the debtor corporation, and, having acquired the stock, it may collect the dividends, but it is not authorized to vote upon the stock. The directors of a corporation have no right under any circumstances to purchase shares in the company with the company's money for the purpose of controlling the election of officers."

It must be remembered that whatever be the relation of a corporation to the State, stockholders as between themselves are joint owners in a joint enterprise, with only this difference between such associations and unincorporated ones—that it is part of the agreement that a majority in interest, and not of the number of the associates, has the sole government of the corporation. The power thus given to the majority in interest is abused by the railroads so as to deprive their individual co-owners, not only of any voice in the management, but of reaping the fruits of the joint enterprise, which is managed in the interest of the one principal stockholder. The private investor may use and exercise whatever judgment he possesses as to the natural advantages of the railroad in which he places his money; his foresight goes for nothing when the interest of another corporation requires the acquisition of the majority of the stock for its own purposes alone. Such purchases of the majority of the stock by railroads not only have effaced every principle of public law as to the scope of the corporate powers of public companies, but have invaded the domain of private ownership and rights.

The report of the State Comptroller gives the taxpayers of the State another opportunity to see what the course of the Legislature on the prison-labor question costs them. The deficiency in the prison department during the past six months is over $192,000, and indicates a deficiency for the year of $400,000. This is the price which the State pays for an annual failure of the Legislature to do its duty; or, to put it in another way, it costs the State $400,000 a year to allow its legislators to get on their knees to the professional labor agitators. Until this annual neglect began, the prisons were self-sustaining, even paying a surplus into the treasury, and the convicts were well disciplined and in better physical and moral condition than they had ever been in the State. Now there is not only this enormous deficiency, but the prolonged idleness of the convicts is having the inevitable results. The prisons are overcrowded, the convicts have to be kept in their cells, many of them becoming insane in consequence, and all of them suffering physically and morally to a deplorable degree. In the past six months thirty-seven convicts have been sent to the State Insane Asylum, an increase of twenty-two cases over the same period of last year. There are now more convicts in the State prisons than ever before, not through any increase in crime, but because the county authorities, who formerly sent convicts to the penitentiaries, finding that they are forbidden to keep them at work and must support them at the county expense, have thrown them upon the support of the State.

Jacksonville, Fla., has just afforded a fresh illustration of the fact that color prejudice is not a matter of sections or parties. Two or three of the leading hotels in that city are owned and conducted by Northern Republicans, and their patrons during the winter season are almost entirely from the North, and, of course, largely Republicans. Frederick Douglass recently visited Jacksonville, and a delegation of colored clergymen called on the Directors of the Sub-Tropical Exposition to ask that during his stay he be quartered at one of the first-class hotels. The directors, of course, had no control of the hotels, but suggested application to such as are run by Northern Republicans. The application was made, but it proved impossible to secure quarters in any one of them for the best-known colored man in the United States. The race question as thus presented was simply a matter of business, and the Northern managers of Jacksonville hotels filled with Northern guests refuse to admit a negro for the same reason that the managers of theatres in Brooklyn, "The City of Churches," to this day refuse a negro admission to any other part of the house except the upper gallery—because they think that any other course would hurt their business.

Now and then we perceive a feeble movement of bimetallism in some part of the world. The latest, and one of the feeblest, was an attempt in the German Reichstag to secure a pledge from the Government to the effect that if England would take the lead in restoring the double standard, Germany would join her. The Government nipped this project in the bud by refusing to entertain it at all, and at the same time expressed its entire satisfaction with the present gold standard.

The flight of Gen. Boulanger to Brussels to avoid trial on charges of treason, or treasonable plots, before the Senate, makes the political crisis in France a little more picturesque, but it is very difficult to say what it means. The suggestion that the Government has found damaging evidence against him among the papers, recently seized, of the Patrictic League may have some foundation, but it is not likely. His belief that the Senate would convict him on any charge is a much more probable and justifiable excuse for his flight. If he were convicted and sentenced to a long term of imprisonment, it would injure him seriously by removing him from the political arena during the canvass for the general election, and disqualify him for a seat in the Chamber. This of itself is reason enough for running away. What effect his flight will have on the French popular mind, too, it is hard to guess at this distance. Its fluctuations about Boulanger have been inscrutable. His lies about the Duc d'Aumale were expected to ruin him; so was his unlucky duel with M. Floquet; but he has come up smiling after both. During the war of 1870, M. de Mazade claimed for France, in the *Revue des Deux Mondes*, a continuance of the "glorieux privilège d'étonner le monde," and she seems as ready to use it about Boulanger as about other things.

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THE NEW YORK POST-OFFICE.

We do not believe the business men of this city are aware what the restoration of the New York Post-office to the Republican "Boys" means, because the older men have forgotten, and the younger ones never knew, what it was sixteen years ago, when it was taken out of politics and made a business establishment.

In 1873 President Grant appointed Mr. Thomas L. James to the Postmastership. He had previously been Assistant Postmaster, and his accession to the highest place practically put an end to the old régime, under which the Post-office, like the Custom-house and Navy-yard, was treated as a place of refuge for ward "workers," in which they sorted letters at their leisure. In those days, the days of Isaac V. Fowler and "Pat" Jones, the Postmaster was no more expected to devote his time to the administration of his office than to the teaching of school. He was "in and out" during the day, but when in was almost exclusively occupied with "politics." To him the district captains sent their complaints against clerks or carriers or sorters who were lax or inefficient in their work at the primaries, and their demands for places for more energetic "heelers" who needed salaries while attending to their party duties. About the despatch of letters and newspapers, he concerned himself but little, and could not have concerned himself to any purpose. His knowledge of the Post-office machinery was slight, and the business of the Post-office was comparatively small. When letters were lost, or miscarried, there was not much use in complaining, because, even if the fault could be traced to any particular person, it probably could be easily shown that, even if he was a bad sorter or drunken clerk, he was a very valuable political worker. The delivery system, too, was unimportant and few people relied on it. Business men had their boxes, as in country towns, and sent for their own letters, and their friends and families living up town had their correspondence addressed to their care. A defalcation on the part of the Postmaster was not uncommon, and when discovered was passed over lightly. The culprit ran away or hid for a while, and his bondsmen, of course, made the loss good. Everything was done on an old-fashioned, good-natured basis. If the letters came to hand, well and good. If they were lost, they were lost in a world of accidents, and it was un-American to grumble over trifles.

When the new Post-office was built and Mr. James was appointed, we began for the first time to have a modern post-office, and to enjoy the latest appliances in the letter-carrying art. "Pat" Jones, who retired in 1873, was the last of the old school. Mr. James introduced modern methods. He gradually cleared out the Boys, got rid of the privileged drunkards, and established discipline and order. When he retired in 1881, he left us a model public office. Mr. Pearson, the assistant who succeeded him in 1881, has maintained his traditions and improved on his methods. The New York Post-office is now one of the institutions of which the country may be proud. The best English, German, and French post-office experts may learn something by inspecting it. It ministers to the comfort and convenience and business of the people of this city with extraordinary efficiency, considering that it has to contend with something unknown in any other civilized capital—powerful opposition to the conduct of Government offices on business principles. That is to say, there is among us, incredible as it may seem to foreigners, a very large and influential body of persons who are bitterly hostile to having the Postmaster appointed solely with reference to the careful and efficient handling of mail matter. With this every postmaster in this city has to contend, and will have to contend for a good while to come. Mr. Pearson, the late Postmaster, suffered severely from it. It prevented his receiving the proper support of his superiors under President Cleveland's Administration, and kept on foot constantly during the past four years movements for his overthrow, and for the promotion of a spirit of criticism and insubordination among his inferior officials.

This body has made an energetic and successful attempt to oust Mr. Pearson, not for the purpose of putting in his place another post-office official, if such could be found, of greater experience or higher skill, but for the purpose of giving the New York Post-office back to the same class of men who managed it fifteen years ago under "Pat" Jones, and this in spite of the following pledge in Gen. Harrison's letter of acceptance :

> "In appointments to every grade and department, fitness and not party service should be the essential and discriminating test, and fidelity and efficiency the only sure tenure of office. Only the interests of the public service should suggest removals from office."

The person who has got the place is Mr. Cornelius Van Cott, one of the old Republican Boys, brought here by Mr. Arthur in 1873, when he established his Republican Machine. He is a Republican Boy, belonging to the same category as "Jake" Hess, "Barney" Biglin, "Steve" French and the rest. We mean nothing derogatory to his personal character when we say that he has lived by offices of one sort or another since Arthur made him an Inspector of Customs, and has filled them all as a politician and not as a business man. Of post-offices we presume he rarely thinks except as places partly in the gift of the Postmaster-General and partly of the President, through which documents may be distributed in campaigns. That they should be conducted on business principles by non-political clerks we presume he considers a silly Mugwump dream. We are thus minute in describing him because we think a description of him gives a good idea of the sort of danger to which the Post-office is exposed.

No adequate notion of this danger can be formed without considering the enormous growth of the Post-office business under the régime established by Mr. James and perpetuated by Mr. Pearson. To go back only ten years to 1879, the increase is striking.

Number of pouches and sacks of mail matter received from and despatched to other post-offices in 1879	1,294,615
Ditto in 1888	3,741,218
Increase	2,446,603
Letters, papers, etc., delivered and collected by letter-carriers in 1879	224,589,132
Ditto in 1888	355,672,049
Increase	131,082,917
Amount of money-order business 1879	$43,652,273
Amount of money-order business 1888	85,057,565
Increase	$41,405,292
Registered letters and packages received and delivered, 1878*	1,924,884
Registered letters and packages received and delivered, 1888	6,457,235
Increase	4,532,351
Total receipts, 1879	$3,235,675
Total receipts, 1888	5,162,972
Increase	$1,927,297
Receipts over expenditures, 1879	$2,033,421
Receipts over expenditures, 1888	3,271,138
Increase net revenue	$1,237,717

We ask every inhabitant of the city who owes to the Post-office either domestic peace and comfort, or business security and prosperity, to remember, in view of these figures, that it is not the old Post-office of 1873 which the President gives back to the Boys, but an immensely enlarged and greatly improved and vastly more important institution, which is one of the glories of the city, and which it is scandalous now to surrender to the party bosses.

Mr. Van Cott, the new Postmaster, is reported in the *Tribune* of Sunday as saying, apropos of his management of the Post-office, "There will be no attempt to evade any law, neither shall it be forgotten that this is a Republican Administration." This little reservation is exactly like that of President Harrison's new Postmaster at Indianapolis, who said he would "obey the Civil-Service Law as far as possible." Mr. Van Cott's determination to remember "that this is a Republican Administration" must mean, and can only mean, that when he is making appointments he will give the preference to Republicans because they are Republicans, which is exactly what Postmaster Wallace meant when he said he would "obey the law as far as possible." But Mr. Van Cott, in making this reservation, overlooked the fact that the law prohibits his remembering, in his management of the Post office, that "this is a Republican Administration." It in fact makes it his sworn duty to forget it. Rule 8 forbids "the expression or disclosure," "in any examination or proceeding by or under the Commission or Examiners, of any political or religious opinion or affiliation, and any discrimination by reason thereof if known"; and the Commission and examiners are required to "discountenance" all such disclosures by the applicants themselves even, or "by any one whose name is on any register awaiting appointment." And the third section of the statute directs that the rules shall provide that "no person in the service has any right to use his official authority or influence to coerce the political action of any person or body." If, therefore, Mr. Van Cott so far remembers that "this is a Republican Administration" as to find out the political opinions of candidates in order to give Republicans the preference, he will violate the law. He will also violate the law if he dismisses, or threatens to dismiss, any employee, or refuses

*Figures for 1879 are not now accessible.

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him promotion, on account of his political opinions. But that he will try to do so, that he will endeavor to evade and nullify the law in all ways which will not expose him to immediate criticism or condemnation, we have very little doubt.

The reason we think so is this: Mr. Van Cott is over fifty years old—an age at which men do not change their habits or take in new ideas. He not only has been trained in the spoils system, but has lived by it during his whole manhood. He has held various offices, but for not one of them has he been selected on account of his fitness, using that term in its business sense. He has probably pushed scores of men for office, but not one has he ever pushed on account of his fitness. He has got all the offices he has ever held because of his activity and success in doing some other and totally different kind of work —namely, political "work"; which is very much as if a man should be made a teacher of mathematics because of his success as a writer of lampoons, or should be employed as a cook because of success as a dish-washer or oyster-opener. He has urged the claims of many friends to places in the public service, but we venture to say he has never supported one on the simple ground that he had the special capacity and training which the place called for. All his own experience of life leads him to regard salaried Government offices as existing mainly to reward the political activity of political partisans, and, secondarily only, to do the work of administration for the benefit of the taxpayers at large.

The Civil-Service Law he doubtless considers, in agreement with nearly all men of his class, as a concession unnecessarily and unwisely made to the Mugwumps in 1883, on a false estimate of their strength and importance, and not taken seriously by practical politicians of either party, and, therefore, one which may now be properly disregarded and evaded to a limited extent. He is perfectly justified in regarding his appointment as an indication that President Harrison shares this view. For of course no lawyer or business man who did not share it, would think of charging with the duty of seeing that none but fit men got into a large public office, a man whose own career was a signal illustration of the needlessness of fitness, and who therefore might reasonably be expected to feel a contempt for it proportioned to his own success in getting on without it.

Considering that it was the Republican party which first took this great office out of politics—that is, out of waste, inefficiency, and fraud; that it was the Republican party which took a successful New York Postmaster, Mr. James, and, after eight years' trial of him, made him Postmaster-General—that is, head of all the post-offices; considering that it was the Republican party which then, before any Civil-Service Law was passed, took Mr. James's first assistant, and, on account of his eminent fitness and experience, put him in Mr. James's place; considering that when the Democrats came into power, and the hounds of faction made another desperate effort to get hold of the office again, Mr. Cleveland, at Mugwump solicitation, and in spite of "charges" against Mr. Pearson, kept him in his place, on the simple ground that no man in the country could fill it so well—considering all these things, it must be admitted that this appointment of Van Cott is the most deliberate and conspicuous exhibition of disregard for efficiency in the public service to which the public has been treated since the war; and it comes from a President who has been supposed in a peculiar degree to meet his official obligations under the most solemn of all sanctions.

RAILROAD MORTGAGES AND PRIOR LIENS.

THAT a railroad mortgage is not in every respect an absolutely first lien upon the property, has been long conceded. Taxes, for example, must be paid. Risk of forfeiture of the franchise from acts done contrary to its provisions is necessarily one which bond-holders must assume. In addition to these, early arose other claims for which priority over the mortgage was demanded. In the sixties, as our railroad system began to approach its present importance, and the possibilities of floating large funded debts became apparent, with the consequent great gains for the shrewd railroad organizer or dishonest speculator, the system of the appointment of receivers of bankrupt railroads by the courts was entered upon. New and complicated questions arose. Railroads burdened with mortgages far too heavy for the traffic to carry were brought one by one into court, with the request that the differences between income and fixed charges should be adjusted there. This sometimes required years of effort, and meanwhile two courses were open: one to proceed as in the case of a bankrupt merchant—stop the business and sell out the assets as speedily as possible; the other, to continue to operate the road pending the adjustment. Duty to the public, whose interest in these public highways is second only to that of the owners, would of itself lead to the adoption of the second plan. But operation means expense and machinery under the governance of the court for carrying it on. Hence the appointment by the court of receivers who should manage the property and issue certificates from time to time for the payment of expenses. These certificates issued under the orders of the court took precedence of the mortgages as claims upon the property, and were paid at foreclosure as part of the expenses of the court.

This common-sense view of the matter has legal authority. A mortgagee in possession may lawfully expend upon the property such sums as are necessary to preserve it. The early decisions nearly all give this as the reason for the validity of receivers' certificates. Later cases, however, seem to cover much more than the conservation of the property. Little by little—in practice if not in theory—we find expenditures easily passed which a strict construction of the original rule would not have allowed, until the popular meaning of a receiver has come to be one who, as an officer of the court in possession of the disputed railway, shall operate the same exactly as though he were the real owner, the court generally leaving the entire management in his hands. In Beach on Receivers this process is traced and set forth in condensed form.

But we have gone a step beyond this. Of several cases which might be mentioned, the most recent is the Farmers' Loan and Trust Company vs. the Cincinnati, Washington and Baltimore Railroad, tried in the Superior Court of Cincinnati. This was an action to foreclose the mortgages, at which the Baltimore and Ohio Railroad asked that its claim for $1,220,397.62 be made a lien upon the property prior to the Trust Co.'s mortgage. This was granted by the court. The C., W. and B. R. R. was reorganized in 1883, and since then interest upon the mortgages amounting to nearly $700,000 yearly has been paid. It was soon discovered that the traffic would not support such interest charges; these, however, were regularly paid and the shortage was carried in the following manner: An understanding was had with the B. and O. "in pursuance of which the officers of the C., W. and B. (one of which was also an officer of the B. and O.) from time to time purchased materials and supplies necessary for the operation of the road, the bills for which were paid with funds of the B. and O., and an assignment taken from the holder to B. and O." Upon these claims judgment was obtained by the B. and O. against the C., W. and B. in 1888. Nothing about this transaction was concealed, for the amounts of these claims for materials furnished were regularly given in the annual reports; in the general balance for December 31, 1887, for example, there is a credit item of $1,067,716.17 supplies furnished by B. and O.

The decision of the Court making this claim a lien prior to the mortgages, is based upon the laws of Ohio, section 3398 of Revised Statutes reading as follows: "The lien of mortgage and deeds of trust, authorized to be made by the preceding section, shall be postponed to the lien of judgments recovered against the company after its reorganization for labor thereafter performed for it, or materials or supplies thereafter furnished to it, or for damages, losses, or injuries suffered or sustained by the misconduct of its agents, or in any action founded on its contracts or liability as a common carrier thereafter made or incurred." This broad language as to materials or supplies furnished was broadly construed by the Court, contrary to some of the earlier decisions in cases of receivers' certificates, which insisted upon strict construction of all authority granted for their issue. It is clear that the moneys owed to the Baltimore and Ohio were really expended in the payment of interest to the bondholders. "The equity is much stronger," says the Court, "in cases like the present, where the earnings of the road for and during the time when the supplies were being furnished were applied to the payment of interest on the loans with which it conflicts."

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This liberal statute of Ohio, and the Judge's language construing it, mark an important advance over the position of the earlier courts, which cautiously admitted the claims of receivers' certificates to be prior to mortgages. The principle thus pronounced of granting priority to claims for materials and supplies is a far-reaching one. In the first place, in the C., W. & B. case, under the terms of the statute, no question seems to have been raised or examination made as to these materials, whether they were such as were really essential to the operation of the road or not. It was taken for granted that they were such as would be bought under ordinary circumstances—which might be for betterments and improvements as well as not. English investors recognized this point some time ago, for in the (London) *Law Quarterly Review* for July, 1888, is an elaborate article upon railway mortgages in the United States, in which the limitations of receivers' debts are set forth and thoroughly insisted upon. Nothing is clearer than the fact that the admittance of priority over mortgages on the part of any other claim is an impairment of a contract, which is expressly forbidden by the Constitution of the United States. And yet, as we have seen, certain things like taxes do have such precedence. Hence follow the general rulings of the courts that receivers' certificates, when issued strictly for the preservation of the property and for the best interests of the bondholders, shall also have such priority. But where shall we define this limit? This is the all-important question. If we follow the older theories strictly, there is ground for thinking that the quoted statute of Ohio, with others like it, is unconstitutional, and will be so decided by the Supreme Court when a case involving that question comes before it.

The mortgages of railroads constitute the greater part of all the investments offered to the public, and the question of their absolute safety is most important. Out of four billions of dollars (our present railroad bonded debt), about one-quarter has suffered impairment or loss through foreclosure and reorganization during the last dozen years. This, indeed, is not as it should be, for the funded debt of a railroad should represent pretty accurately the minimum value of the property, and thus be beyond any ordinary loss, leaving the speculative fluctuating value to be represented by the stock. But the fact that a quarter of our mortgages has been in danger emphasizes still more the need of asserting the title and right to the property covered. If any and all expenditures can come before a mortgage, it only remains for unscrupulous men to take advantage of supplies furnished and betterments made, to obtain judgments, thus, as Beach well says, "improving the bondholders out of their property."

SPANISH-AMERICAN COMMERCE.

THERE were more glimmerings of sense in the speeches at the formation of the new Spanish-American Commercial Union of this city than we remember to have encountered in recent discussions of the South American trade. It is something to have got the square admission that the larger part of the firms who have attempted to secure a share of that trade have pursued methods which are wretchedly unbusinesslike and inefficient. This admission was distinctly made by Mr. Hughes of the Ward Line of steamships; and is amply borne out by consular reports and the testimony taken by the South American Commission of 1885. American merchants have shown the most fatuous disregard of the elementary principles of successful trade with Spanish-America; they have not consulted established tastes, have shipped goods either too poor or too good, badly packed, improperly invoiced, wrongly consigned, have selected incompetent agents, have given their "exclusive" trade to several houses in the same city, have refused to conform to the settled terms of credit and discount, have dealt with South American purchasers in the most lofty and contemptuous fashion, and then have gone about declaring that it is a shame the Government doesn't do something to enable them to make profits.

After the emphatic remarks of Mr. Hughes upon this part of his subject, it is disheartening to find him arguing in the same breath that nothing can be done without subsidized steamers. Perhaps he did that to avoid the charge of disloyalty to the interests of his steamship company. The thing one would have expected to hear him say is that if what stands in the way of our South American trade is the stupidity of American shippers, the trade would come as soon as they used the proper means to develop it. We have Mr. Hughes's own word for it that the trouble is not in the rates of freight; in an address given on another occasion he very correctly stated that the British tramp steamers would attend to that, and that one of them would appear wherever there was a profitable cargo. Would he simply give American merchants the chance to ship their unsalable goods a little oftener than they now can? "We don't need free trade to capture South American commerce," says Mr. Hughes. "All we need is reciprocity treaties admitting to our ports the raw materials of South America, and securing in return the free admission of our manufactures." This means free wool, if it means anything, but Mr. Hughes naturally did not want to blurt that out so soon after the last election.

This whole scheme of entrapping the South American republics into some sort of reciprocity treaty which they have no earthly reason for desiring, is particularly absurd after the flat failure of the Commission of 1885 to work any game of that sort. They were particularly instructed by Secretary Frelinghuysen to get a reciprocity treaty in every case possible, and they did not get within sight of a single one. Let any one read the account of their reception in Chili by the President of that country, and the remarks made upon their simple-minded efforts by the Chilian press, and he will not wish to have the United States get another repulse of that sort. The President "said it was out of no want of respect for the United States, for whom he and his people held the highest esteem, but it was his settled belief that all treaties were needless; that they subserved no valuable end, and that, in the matter of reciprocity, there could be no control of the laws of trade by any convention; that men would buy and sell where it was most to their advantage, and that this could not be aided or materially influenced by national compacts." We probably still need such elementary tuition, but it is rather humiliating to get it from a people whom we patronize so condescendingly.

Ex-Senator Miller added his wisdom to the debate of the evening alluded to, and gave it as his belief that, with a subsidized line of steamers to Brazil, our trade with that country would increase 100 per cent. within a year. Probably he never heard of the subsidy to the Garrison Line to Brazil, $150,000 a year for ten years; or, if he did, he must have failed to note that, while our exports to Brazil averaged $6,346,000 a year for the term of the subsidy, as soon as it expired, in 1874, an increase was at once apparent, the average exports for the next two years being $7,463,000. He might also have learned, if he had inquired of some of our merchants who do business with Brazil, that freights are now less than half what they were at the time of the Garrison monopoly.

President Harrison has so distinctly favored, both in his speeches and in his inaugural, the policy of subsidies, that the general hurrah by the expectant ship-owners since his election is not at all strange. We believe, however, that they have overlooked a very important element in the situation—the opposition which they will have to encounter from those Republican Congressmen who represent Western farming constituencies. Many of them would not vote even for the moderate proposition of Mr. Bingham of Pennsylvania last summer, although the madness of the impending election was then upon Congress, and party lines were tightly drawn. It is altogether likely that they will be even more ready to ask impertinent questions in the Fifty-first Congress, such as, Do these steamship lines pay any dividends? If they do, what are they complaining of? If not, why is not the capital invested where it will get a return? Very likely, too, some successor will be found to Mr. Nelson of Minnesota to say, as he did last year, that the shortest way for owners of steamships to increase their profits is to strike for free ships.

AN ENGLISH ESTIMATE OF AMERICAN ILLUSTRATION.

LONDON, March 21.

To all who are interested in bookmaking, book-illustration, and book-decoration this winter in London has been of unusual interest. There is no branch of art more popular to-day than illustration, and yet there is none so persistently ignored by writers on art. The fact that so much attention has been given to it in late lectures and exhibitions is therefore in itself worthy of note. But the manner in which the subject has been treated by the lecturers is of still greater significance, especially to Americans. A short analysis of the lectures and a slight reference to the exhibitions will make this clear.

The subject was first given prominence during the Exhibition of the Arts and Crafts So-

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ciety held in the Grosvenor Gallery before Christmas. The very name of the Society, as well as the interests of its President, Mr. Walter Crane, made it impossible to omit from the show the art and craft of bookmaking. But, once accepted among the exhibits, it was somewhat of a surprise to find how very small was the space given to it. Several frames of drawings by Mr. Walter Crane, two or three of work by Mr. Heywood Sumner and Mr. Jacomb-Hood, and a few designs by Mr. Lewis F. Day, represented illustration and decoration as applied to books. The only examples of printing came from the Clarks and the Chiswick Press; the only specimens of bookbinding from Mr. Cobden-Saunderson and Messrs. Roger and Lorenzo de Coverly. When one paused to consider the large number of illustrators, designers, and publishers, the slimness of this part of the exhibition seemed altogether unaccountable. A slight clue to the reason for this slimness, however, was found on carefully consulting the introductory notes in the catalogue. Here the short paper on Printing ended with this paragraph:

"Next in importance to the type are the ornaments, initial letters, and other decorations which can be printed along with it. These, it is obvious, should always be designed and engraved so as to harmonize with the printed page regarded as a whole. Hence illustrations drawn only with reference to purely pictorial effects are entirely out of place in a book—that is, if we desire seriously to make it beautiful.'

This is really a sweeping condemnation of all the magazines and all the illustrated books, with a very few exceptions, printed at the present day. That it was so intended was confirmed by the series of lectures which followed the opening of the exhibition. In the lecture on printing—given, by the way, by a photo-engraver whose principal business it is to reproduce purely pictorial drawings for book-illustration—if the arguments were weak, the meaning was plain: the only good book-decoration and illustration is that done by the artists and craftsmen of the sixteenth century, and by a very small saving remnant, with Mr. Walter Crane for its leader, to-day; all other modern attempts at book-illustration and decoration are hopelessly and atrociously bad. We may consider it perhaps a compliment, certainly a proof of our influence in the art world, that for the atrocity and hopelessness Americans are held wholly responsible. Indeed, to listen to the dogmatists of the arts and crafts school is to believe that, beyond the small remnant to which I have alluded and the Americans, there are no modern book-illustrators and decorators. As far as they are concerned, Menzel and Wietz, Vierge and Montalti, Jeanniot and Habert-Dys might never have lived. During the lecture on printing, after all that is right in illustration was shown by lantern slides, the wrongness of American work was demonstrated by throwing on the sheet an enlarged page of *Harper's* decorated with some of Mr. Hamilton Gibson's flowers. As the original drawing was made in wash, it did not, as was to be expected, enlarge to such good effect as drawings made in line. But no one questioned the value of the demonstration; on the contrary, it was received with applause.

In its relation to book-illustration, the exhibition, narrow in its limits and arbitrary in its lectures, was chiefly significant because it for the first time definitely showed the attitude of Mr. Walter Crane and his friends and followers on the subject, and openly expressed their hostility to the methods of American draughtsmen, art-editors, printers, and publishers. Since the close of the exhibition, this attitude has been still more arbitrarily maintained, this hostility more fully avowed, in two series of lectures given before the Society of Arts, the first by Mr. W. J. Linton, the second by Mr. Walter Crane.

It is almost unnecessary for me to state that Mr. Linton's subject was wood-engraving, or that, however much one might disagree with many of his opinions and conclusions, one listened to him with that respect always commanded by the words of any workman upon the work to which he has devoted his life. Moreover, his lectures gave a full, clear, and concise history of the growth and development of wood-engraving, well illustrated by means of the lantern, which has become indispensable to the modern lecturer. That Mr. Linton's standard of wood-engraving is wholly conservative is a fact already well known in America. He, too, believes the Americans responsible for everything that is bad in modern illustration, though he casts the blame upon the new methods of the engraver rather than of the draughtsman. But, curiously enough, all the arguments he used in support of the old methods, if carried fairly and without prejudice to their logical conclusions, really prove the merits and rightness of the new school of reproduction.

His history of course began with the inevitable Egyptian stamp, continued with the Venetian playing-cards, the famous St. Christopher, the block-books, to the work of Dürer's time, which came to the very height of its perfection in the great arch of Maximilian. After the woodcuts of the sixteenth century, the historian of wood-engraving finds little to record until he comes to the work of Bewick and his followers and the perfected use of the white line, with which Mr. Linton's own name will for ever be associated. Up to this point Mr. Linton praised, as the chief virtue in the wood-cutter, his subjection to the artist—a subjection so complete that the names of many of the great engravers of the sixteenth century are now unknown. His business it was to reproduce, to the very best of his ability, the draughtsmen's lines, with intelligence, of course, but with absolute fidelity. If he thought the lines bad or unworthy of his graver, if he felt that he himself could make a better design, then, very possibly, he gave up reproducing other men's work and made his own drawings on the block. But so long as he reproduced the drawings of other men, then he realized that the design was of primary importance, and that he, the interpreter, was in every way subordinate to the artist.

Another reason, too, for the great work of wood-engravers in the past was their readiness, as well as that of the artists and craftsmen with whom they worked, to take advantage of every mechanical and artistic invention and development. The actual methods of the man who cut the St. Christopher and the engravers of Dürer's drawings may have been the same, but the great contrast between the early and later work shows that in the meantime the engraver must have been striving to increase his power in cutting his lines in proportion as the draughtsman was developing his skill. Nor was he slow to avail himself of the invention of movable type to lighten his labors. Instead of abusing the invention of printing as a mechanical substitution for the sympathetic and intelligent work of a craftsman—though, for all we know, there may have been conservatives in those days, too—he at once adapted it to his requirements, and ceased to cut the lettering as in the old block-books, but left the text which accompanied the drawings to be set up in type by the printer. The white line was a distinct innovation in wood-engraving, an entire change from the methods of the old engravers, and yet Mr. Linton, by his use and praise of it, shows that in certain cases and at certain times he recognizes innovation in and development of artistic methods to be necessary and commendable. But when it comes to our own times, then all change means to him degeneracy.

Of modern wood-engraving he seems to know only the American, for to the degenerate methods of to-day he gives the name of the "American New Departure." This is scarcely fair, even if his estimate is to be accepted. The devil should be given his due. Long before the production of the wood-engravings which have made the *Century* and *Harper's* famous the world over, Menzel, in his determination to obtain good reproductions of his illustrations for the Life and Works and History of Frederick the Great, had developed facsimile wood-cutting in Germany and France to a wonderful perfection. Besides, if among American wood-engravers are to be found such masters as Cole and Juengling, they are by no means greater than Frenchmen like Beaude, than the German successors of Unzelmann and Vogel, or even than Englishmen like Patterson, Swain, Cooper, and the Brothers Dalziel in their particular line.

But suppose all the credit of the new methods of engraving is to be given to the Americans, what is Linton's objection to them? This is really impossible to understand, for at the beginning of his second lecture, which was principally taken up with strong abuse of the "New Departure," he stated that with the reproduction of tone he was not concerned, as that was a distinct art. Now, the American engravers of to-day are as a rule—there are of course occasional exceptions—concerned only with the reproduction of tone. The invention of photographic methods of reproduction has revolutionized book-illustration in the nineteenth century as completely as the invention of printing revolutionized bookmaking in the fifteenth. Just as the printer then replaced the scribe, so, for line drawings, the photo-engraver has now supplanted the wood-engraver. And just as the scribe then saw the folly of competing with a machine which could do his work much better and more quickly and cheaper, so to-day the wood-engraver sees the uselessness of rivalling a mechanical process which will reproduce the draughtsman's lines more easily and accurately, and in a tenth or twentieth of the time it would take him to do the same work. Mr. Linton himself admits this: for his forthcoming work on the 'Great Masters of Wood-Engraving,' he is having all the woodcuts reproduced by process instead of making new ones. As yet, photo-engraving cannot equal wood-engraving in the reproduction of tone, and therefore to this reproduction the wood-engraver has devoted all his attention and skill, with the result that he has made wood-engraving not only a distinct but an entirely new art. Compare a woodcut after Dürer with one of Cole's engravings of an old Italian fresco or mosaic, and the truth of this assertion must be at once seen. And what is the chief merit of the engraver in this new branch of his art? The very same subjection to the artist which is applauded as such a virtue in his predecessors of the fifteenth and sixteenth centuries. In the drawings he seeks to reproduce there are no lines; consequently he avoids all aggressive effect of line in his engraving. It is as unfair to take a small bit of one of his engravings and enlarge it on the screen, and then compare it to an entire engraving in line, as Mr. Linton delights in doing, as it would be to compare an enlarged corner of an oil painting to an en-

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larged etching, and then find fault with the painting because in it was shown no true feeling for line.

No sooner had Mr. Linton finished pointing out the rightness of old engraving and of his own, and the wrongness of American engraving, than Mr. Crane undertook to prove that truth about book-illustration and decoration which he had already declared in the Arts and Crafts Exhibition. His subject was, of course, far wider than Mr. Linton's; but, interesting as is the history of illustration, beginning as it does with picture-writing and hieroglyphs, I have only space here to dwell upon a few of the more prominent features of its development which bear specially upon Mr. Crane's conclusions in regard to modern illustration. For all practical purposes it is sufficient to study this development in Christian Europe, where it is necessarily divided into two great periods, the MSS. period and the period of printed books. There are examples of a stage of transition between the two. In the very early days of printing, the printed text was sometimes decorated by hand with a beautifully illuminated initial letter or margin. But soon the decoration, as well as the text, was printed, and old methods were entirely done away with. But in the artistic treatment of the page there was little difference. The MSS. had been rich with ornament, sometimes confined to a very elaborate initial letter, sometimes extending down the margins, and they had also contained many little pictures meant to illustrate the text, but often so interwoven with the ornament as to be almost inseparable from it. And so it was with the printed books. At times the text was enclosed in a border of graceful spirals or purely decorative forms; at times it enclosed a picture; often picture and ornament, as in the MSS., were not to be separated. In a word, there seemed two distinct ways in which the illuminator or the draughtsman could treat his page. He could ornament it without his ornament throwing the least light upon the meaning of the text, or he could decorate it with pictures which were primarily illustrative and intended to enforce its meaning; perhaps it may be said he found a third way of treating it in a compromise by which he joined together his purely decorative and his illustrative ornaments. In view of this fact, which no one with the least knowledge of MSS. and early printed books can deny, Mr. Crane insists upon a distinction between the decoration and the illustration of books, though both, he teaches, are legitimate. While this is in a measure true, it is not wholly so; for if often book-decoration is not illustration, book-illustration is always decoration—that is, of course, provided it is good of its kind. The distinction really is between the drawing which is conventional or geometrical in form and treatment, and the drawing which seeks to give a realistic rendering of its subject. However, for the sake of argument, let the former be called decoration and the latter illustration.

Like Mr. Linton, Mr. Crane sees only good in the work that was done until the end of the sixteenth century. He also finds much to commend in English decoration and illustration towards the end of the last and the beginning of this century as represented in the drawings of Blake and Stothard and Bewick, while he approves of the pre-Raphaelites as illustrators. But when he comes down to our own day, again, like Mr. Linton, he can see only evil, and for the present perversion of decorative and illustrative art he too casts the blame upon an American new departure. One might have thought he had never heard the name of Menzel, had he not given it a passing mention in the course of his lectures. That he does know it, and yet is ignorant of the fact that it is Menzel who is really responsible for almost all modern illustration, seems almost incredible. American illustrators themselves would be the first to admit the debt they owe, not only to the German master, but to Fortuny, Rico, and Vierge, to whose work and influence Mr. Crane did not even refer. The very pre-Raphaelites who meet with his approval were indebted not a little to Menzel, whose drawings were better known among English artists in their day than in ours.

But whoever is responsible for this "new departure," the important question, as in Mr. Linton's case, is, What is the objection to it? and before this can be satisfactorily explained, it is well to consider for a minute the chief differences between the old and perfect—according to Mr. Crane—illustration and decoration, and the modern, which is held to be so vitally at fault. These are, first, the greater command of technique of the modern draughtsman, and secondly, and even more important, the enormous development in mechanical methods of reproduction and printing. In illustration as in painting, it will be found that, as the artist's technical resources were perfected, his rendering of his subjects became more realistic; the difference between Menzel and Dürer is due to the same cause as the difference between Fortuny and Giotto. Often what seems to us decorative in the painting and illustration of the past is nothing more than the result of technical limitations. Again, the illustrator of the sixteenth century had to adapt his drawings to the woodcutter's power of cutting them on the block. That he was much less free in his illustration than in his other work, is seen at once by comparing Dürer's etchings, like the "Big Horse" and the "Melancholia," with his woodcuts, like those of the "Kleine Passion." As Mr. Crane says, the mechanical relation of the work of draughtsman, engraver, and printer really gives the key to all good design. In the sixteenth century the power of engraver and printer was limited; therefore, when the mechanical relations were right and the design was good, the power of the draughtsman was limited as well.

To-day, with the development in mechanical resources, the draughtsman gains in freedom. He can draw in wash an elaborate landscape, or make a no less elaborate figure study, and, reproduced on the pages of a magazine, the mechanical relation of his work to that of engraver and printer is not violated. With this greater freedom he does what would have simply been an impossibility in Dürer's day; but this does not necessarily imply that what he does is wrong. It can easily be understood that, with his own constantly increasing command of technique and the ease with which his drawings can be reproduced, he has given more and more of his attention to illustration, and less and less to decoration, using the words in the sense attached to them by Mr. Crane. But surely this cannot be the great fault in modern work. Mr. Crane, when dealing with the sixteenth century, found as much to praise in illustration as in decoration, holding up as models drawings of Dürer and Holbein which had absolutely no decorative relation to the page on which they were printed. Nor can it be in the greater elaboration of modern drawing; it is not thought a fault in Dürer that his drawings were far more elaborate than the St. Christopher of the earlier artist. Why then is American work, which, with Mr. Crane, seems to mean all modern work but his own and that of his followers, so debased a form of illustrative art?

When it comes to giving his reasons for his wholesale condemnation of American magazines, it seems his quarrel is really with a very small portion of the work published in them. His argument really is this: American illustrative work is bad, because here and there the magazines publish decorative drawings which, as decorations of the page, are bad. That their decoration sometimes is not good is true enough, but is it sufficient reason to condemn all the work of the American illustrator? And how does Mr. Crane prove his case? By keeping a discreet silence about the drawings of Americans, like Mr. Howard Pyle, who work according to the methods he advocates, and by holding up to ridicule one page from the *Century* with a decoration of flowers in which the text, as he put it, torn into an irregularly ragged edge, seems instinctively to shrink from touching the illustration, squeezing itself together, as the passengers in a crowded omnibus might do, reluctantly, to admit a chimney-sweep. The page is not especially beautiful, but when it comes to Mr. Crane's own pages with the text written by him, we find often the same ragged effect in it. American magazines might unquestionably be improved if greater attention was given to the decoration of their pages; but it must be remembered that the most beautiful and richly decorated books in the past were made solely for the rich; the magazines are for the people. This of course would be no reason for the dissemination of bad art, but that the art is bad not even Mr. Crane would assert; for (a proof of the weakness of his case) when it came to showing the best examples of contemporary illustration, he was obliged to borrow from these very magazines and from Americans. He showed the work of one or two other Englishmen as well as many drawings of his own, but even greater prominence was given to the work of Mr. Vedder, Mr. Abbey, Mr. Parsons, and Mr. Pennell, though I noticed he neglected to mention the fact that three of these artists are Americans, and all are contributors to American magazines, so that, to his audience at least, his argument was not weakened. It is strange that in the one newspaper report of his lectures I have seen, while his abuse of the *Century* and *Harper's* was carefully recorded, his exhibition of American work was as carefully ignored.

Thus it will be seen that in this loud outcry against American illustration, the criticism, when analyzed, amounts to this: American engravers are taken to task for qualities found admirable in engravers of the sixteenth century; American illustration is ruthlessly condemned because occasional magazine pages are faulty according to conventional standards. It would be no less folly to praise our illustrators without qualification than it is to blame them without reserve. Many would doubtless profit by a careful study of book-decoration in the past. But at the same time, just now that in England the effort is being made to put all American magazines under the ban, it is only right to show the fallacy of the arguments used against them.

PREHISTORIC SICILY.

CATANIA, February 27, 1889.

IT seems to me that there is more to be learned of the earliest civilization of Europe from Sicily than from any other European land. Its extreme fertility, and its position in the great currents of migration and commerce from the earliest traditions, at once favored agriculture, which is the basis of civilization, and colonization and commerce, which sustain and stimulate it. Diodorus Siculus tells us that

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the antique tradition was that wheat had its origin in Sicily, and that even in his day it was to be found wild in the fields of Leontini and in other parts of the island; and the interpretation of the myth of the rape of Proserpine long ago offered by the myth interpreters is, that the corn when planted was supposed to be with Dis, and when in bearing to be restored to the light of day for that part of the year which Proserpine passed with her mother, thus dividing the time of its existence between the infernal and supernal deities. Certainly the plant has never been found growing wild in any other country, and if not now in Sicily, there is no cause for wonder, for no land has seen its domestication so completely carried out. And in the mythology of the Greeks, who never pretended to be the earliest colonizers of the island, the original home of Ceres, the goddess of the wheat field, was always allowed to be Trinacria, the Greek name of the island, and Proserpine was said to have been born there. Ceres was the peculiar Sicilian deity, and Diodorus, in his simple pagan credence, says: "And that the rape of Proserpine did take place here is clearly shown by the observation that there is no record that those goddesses had ever lived anywhere else than in this island, loved by them far above any other place. And that rape took place in the fields near to Enna, a locality not far from the city, laughing with violets and other species of most beautiful flowers, and in every way worthy of being admired. And so strong here, it is said, is the fragrance of the odors [of the flowers] that the dogs on the track of the game cannot find the scent for the overpowering force that the perfume of those fields has on their organs."

Be it coincidence or confirmation, it does so happen that the earliest indication of a settled and determinate order of social existence that we find in Europe is here to be found. The tombs of the great plains to the west of Palermo are at once indications of social organization and that reverence for the dead which must be taken as a sure sign of some religious culture—of the former through the aggregation of the sepulchres in so great a number and in so close propinquity, and of the latter in the care for the security of the remains and the provision for the use of the departed in the other existence, and the curious decoration of the bones after the flesh had been stripped from them. The graves belong to the type of "well-tombs," and show a curious and subtle art in their design for the purposes of concealment, though by their technique they are widely separated from the "well-tombs" which are the earliest we know of in Italy, as well as by their contents, no metal being found in them; and though it is impossible to come to any comparison of dates, we have a right to consider them earlier than the *terramares* of Italy by virtue of that fact.

But as, at the time when a tolerably authentic tradition of Sicilian affairs comes to us, the island was divided between two races, the Sicani and the Siculi, the latter being recognized as invaders from Italy and belligerent to a high degree, according to Diodorus, and the boundary being recognized by mutual accord at the Himera—the Sicani occupying the western and the Siculi the eastern half—we can safely conclude that these cemeteries are those of the former. Of these Diodorus says, referring to the traditions still extant in his day:

> "The Sicani once lived in villages, and had made for themselves on the hills little cities to protect themselves from the attacks of thieves. They were never under the rule of a single king, but each village had its own particular prince. And first they held the whole island, and obtained their living by cultivating the earth. Then, as it happened that in many parts Ætna scattered its flames and for great distances covered much land by its eruptions and devastated the earth for many years, the inhabitants, conquered by fear, abandoned the eastern parts of Sicily and retired into the western. After many ages the nation of the Siculi passed with all their families from Italy into Sicily, occupied the sections that had been abandoned by the Sicani"—

and finally, as he describes, came to terms with the previous inhabitants.

This was the nation which the Greeks, who came in the eighth century B. C., found in Syracuse and Agrigentum as well as in many sites in the interior, from which they were never dispossessed, but maintained their individuality and civic existence until the conquest by the Romans had unified the populations, who had, as Diodorus says, "learned the language of the Greeks and adopted the same manner of living, having abandoned both the barbaric dialect which they spoke before, and the name which they bore, being thenceforward called Siculi." Of these eastern Siculi, there are many necropolises in the vicinity of Syracuse which furnish the evidence of a step forward in the progress of civilization, being excavated in a rock that seems to have been impracticable to the Sicani. From such examination as I was able to make of the tombs, I believe that they must have employed bronze hammers. They have the same form of mortuary chamber as the graves in the western necropolises, which is an indication that the Sicani were a kindred people to the Siculi, as this form is peculiar and (so far as I know) does not appear elsewhere than here, and in parts of southern Italy in which tradition has established the Siculi also. It is a low, oven-shaped chamber, generally about four to five feet across and three high, forming a flattened dome; and it was closed by a slab of stone fitted to the opening, which was only large enough to admit the shoulders of a man of ordinary size, so that the cutting must have presented great difficulties. In the western graves this opening is out of a well sunk in the soft tufa or calcareous limestone, sometimes two or three being cut from one well; while in the eastern the cutting is in the face of a ledge of rock—a harder but by no means difficult stone to excavate, and not, indeed, impossible to be worked by stone tools, as the western clearly were, for they have been found in the graves.

With these differences the two systems of burial appear to have been the same. But while it is clear that the flesh had been stripped from the bones in the western graves, we have no evidence as to this practice in the eastern, for the scientific excavators have not yet succeeded in finding an authentic grave of the Siculian period intact, their position in the face of a ledge of rock exposing them to view as soon as the earth was washed away, which has in most localities taken place long ago, and leading to their pillage by the peasants, who are always on the lookout for the treasures supposed to be buried in ancient tombs; so that, though the authorities of the museum at Syracuse have been able to obtain a considerable collection of the objects from Siculian graves, they have never been able to induce the finders to show them the graves the objects were found in. These objects consist of vases of well-burned terracotta, generally hand-made, but in some cases made on a wheel; but as the Siculian period runs into the Greek, and these tombs are in some cases possibly of the latter epoch, we cannot divide the arts of one from the other with rigid distinctions. The pottery has, however, its own character, and the vases in the museum are always of a primitive type, with decoration, where decoration is, of the simplest geometrical character and in no case of natural forms. They have nothing in common with the decoration of the so-called "Mycenean" or "Corinthian" vases, and in some cases the hand-made vessels are of an admirable make, such as I have not seen in any ancient production of the same stage of art. There occurs, however, the difficulty which must always be encountered in comparative archæology, that the contemporary productions of two countries may be of greatly different stages of progress, and, as we know, the age of stone in one country may coexist with the age of steel in another. Moreover, in the judgment to be pronounced on the Siculian objects we have also the consideration that the Greeks broke into the civilization of the Siculi in the eighth century, and in all probability the Pelasgi still earlier (if, indeed, the second were not a branch of the last); and it is not impossible that the tombs which have rendered some of our objects were made in the early Greek period; so that any judgment in the matter must be taken with the benefit of an inventory not now possible to draw up.

But this interesting result is sure, that we find in the Siculian system tombs excavated in the solid, if not very obdurate, rock by a people who did not possess the art of making edged tools to do this work, and whose ceramic products are of a totally different type from the earliest Greek or so-called Phœnician. Together with these in the tombs we find a few bronze articles such as have been found in Italic tombs, viz., the "spiral fibulæ," a type of that article different from any found in Hellenic or Roman tombs; and no articles in common with either of those. In those cemeteries in the immediate vicinity of Syracuse, and which we may suppose to have belonged to the inhabitants expelled on the arrival of the Greeks, as we know that they were expelled, the manner of working the stone is most distinctly to be seen as hammering, similar to the Pelasgic work: and the form of the tomb is so closely allied to that of the tombs of the Sicanian period as to indicate the common origin of the two races—*i. e.*, that Sicani and Siculi alike were immigrations from Italy at widely separated epochs. But we have further confirmation of this provenance in the recorded existence in Italy of lingering remnants of the Siculi, and the occasional occurrence of tombs of their type, showing that they had learned the art of working hard stone in the interval between the two emigrations. But another allied fact, learned from the excavations in Italy, is, that a system of well-tombs obtained in Italy prior to the advent of the Etruscans according to one theory, and in their earliest development, according to an alternative (the former being that of Gamurrini and the Italian archæologists generally, and the latter that of Helbig)—in either case to be put at not later than 900 B. C.—in which we have the use of metallic chisels clearly and indisputably indicated, and the presence of bronze work of Oriental provenance, as in the well-tombs in the museums of Corneto and in the new "Papa Giulio" (Falerian) just inaugurated at Rome, as well as in the *trouvaille* of Vetulonia in the museum of Florence and that of Sybaris. It seems safe to draw the conclusion that the race of the Siculi and Sicani was probably that supposed to be indigenous in Italy, and which was driven down and out of the peninsula according to the traditions, of which one is given by Homer in the account of the origin of the Phæacians.

There is a great difficulty in arriving at more definite conclusions on these points from the fact that, so far, the explorers in the Sicu-

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lian cemeteries have not been able to find a tomb intact, the diligence of the treasure-hunting peasants and the stupid obduracy of the proprietors of the ancient sites combining to prevent intelligent and scientific examination of the localities which have those cemeteries still possibly hidden, for many of the Siculian cities are now sites as deserted as the most ancient in the Old World. At any rate, we have in Sicily two stages of development, as marked by their inhumations, prior to anything we find in Italy proper. Professor Orsi, the young and enthusiastic coadjutor of Halbherr in the researches in Crete, and who is the inspector of antiquities in Syracuse, has taken up the subject of Siculian antiquities in his region, while Salinas, the head of the archæological department at Palermo, has given his attention to those of the Sicanian remains; and time and the patience which is so imperative a qualification in such researches will one day give us the complete solution of the problems to be solved. There is one tradition which may be taken for what it is worth in comparative chronology bearing on the antiquity of the Siculian settlement of Sicily. This is the story of the invasion of Sicily by Minos in his pursuit of Dædalus as it is recorded by Diodorus, in whose account Minos is received by the King of Akragas, which was then a Siculian city, and one of those which were on the western limit of the territory assigned by the treaty with the Sicani to the later comers. But as Minos was contemporary with the earliest Greek civilization, we can, from the point of view of mythology, form a conjecture as to the state of the island in the prehistoric epoch of Theseus and Minos. W. J. Stillman.

Correspondence.

PROHIBITION IN IOWA.

To the Editor of The Nation:

Sir: To a looker-on in Vienna, the whole question of prohibition seems one easily met and readily answered. It becomes, therefore, a matter of interest to discover why prohibitory laws are not enforced in the same manner that laws affecting persons or property are. It cannot be that they are worse than laws generally, and that for this reason executives let them alone, for the most arbitrary laws are sustained upon the principle that the way to repeal a bad law is to enforce it.

Two reasons more strongly than any others present themselves why temperance legislation is ineffectual. One is, that legislation favoring prohibition is in advance of public opinion; the second is, that it is mixed with politics. That it is in advance of public opinion is shown by the fact that men call the liquor traffic a business, and class it with other commercial interests, and, while the temperance movement is a great moral movement, temperance legislation is entirely destitute of any moral principle. So far it is a mere tissue of expediencies, varying enormously according to the pressure brought to bear upon the different State and local governments within the limits of whose territory the question has been agitated.

Perhaps the very best test of a prohibition vote possible was given in Iowa in 1884. Containing a million of people, this State has no city with a population of over 40,000, and but one, its capital Des Moines, that can claim within 10,000 of those figures. It is an independent, agricultural State with more available land to the acre than any State in the Union, and claims, besides, as its especial honor, the highest per cent. of education *per capita* of any State in the Union. This is the State that polled a prohibition majority of 31,000. So far, so good; the moral pulse of the people beat responsive to the temperance cause. What follows is a commentary on the slowness with which laws are formed, and demonstrates the seeming impossibility of uniting political and moral ideas. The effect of the prohibitory amendment was immediate. The wholesale dealers grew restless, many removed to the large cities in other States, and the retailers showed every disposition to close. In the city of Keokuk, in southeastern Iowa, on the morning of July 4, 1885, the saloon-keepers closed their doors, making no resistance to the law. But mark the conduct of the city fathers when called upon to decide the closing as final. They argued that the city needed revenue, and that the saloons should be licensed. One by one these reopened, paid the license levied by the Council, and continued open until May, 1888, when the Mayor, Mr. John N. Irwin, himself not a Prohibitionist, decided to enforce the law. There is not to-day a saloon open in the city, though liquor in the shape of original packages and in club-rooms is before the people.

In Sioux City the *business men* made a proposition that the saloons be permitted to run. Against this proposition the women of Sioux City, six hundred in number, drew up a protest, drawing upon themselves, by so doing, the most scathing criticisms of the press. "They spoke only the spasmodic sentiments of the feminine nature," one of the leading Iowa papers stated, adding "that men have business experience, and see a certain amount of capital and business going, and nothing to take its place," etc. And again, the Iowa Republican party, in a late platform, did not hesitate to disclaim connection with the temperance party, and to censure the action of the Democratic party in declaring for a $250 license, "compulsory on every community, regardless of local opinion."

These temporizing political conditions are the key to the whole situation; and, until the people decide to enforce the law and compel the assent of voters to law rather than to party, a better state of things cannot be hoped for.

E. B.

Keokuk, March 31, 1889.

On Monday, April 1, an election will be held in this city for Mayor and Marshal. The issue is the enforcement of the law. The Democratic candidate refuses to say that he will enforce the law, while the candidate on the same ticket for Marshal is a saloon man.

[The Democrats carried the day, defeating Mr. Irwin, who sought a reëlection.—Ed. Nation.]

THE IOWA COW.

To the Editor of The Nation:

Sir: An article in the March number of the *North American Review* from the pen of Dr. George B. Loring, on "Does American Farming Pay?" has not, as yet, received the attention it merits, both from the facts it presents and from the authoritative character of the writer, an ex-Commissioner of Agriculture, and now Minister to Portugal.

The paper was prepared, as Dr. Loring himself gave notice to the New England Agricultural Society, in response to ex-Secretary McCulloch's article in the October *Scribner* on the unprofitableness of American farming, and therefore may be regarded as the matured results of the ex-Commissioner's careful deliberation. It appeared at a time when the author was a prominent candidate for the Secretaryship of Agriculture. Whether it came under the eye of President Harrison or not, one cannot definitely say; but as the President says his entire time has been taken up in the "classification and arrangement of applications for office," it is possible that Dr. Loring's paper may have been arranged and classified with the rest. At any rate, as Dr. Loring was sent to Portugal instead of into the Cabinet as the representative of agriculture, it is perhaps safe to infer that the President not only saw the article, but read and inwardly digested it.

On page 366 of the March number of the *North American Review*, Dr. Loring writes as follows:

"When the wheat crop of Iowa failed, the farmers turned their attention to the dairy. They improved their cows largely, by careful breeding and judicious feeding. On the 1st of January, 1887, they had 1,243,000 cows, valued at $32,541,792, and they produced butter and cheese to the amount of $277,477,429, milk, sold and condensed, amounting to $200,000,000, and skimmed milk to $50,417,054. The pasturage of the State is most luxuriant, and the valuation of the live stock is $180,110,016."

By the simple process of division, we find from Dr. Loring's statement, disregarding fractions, that the average Iowa cow, valued at $26, produces annually butter and cheese to the amount of $223, and "milk sold and condensed" to the amount of $160. Besides this, the grateful Iowa cow of average grade returns to her lucky owner skimmed milk to the value of $40, a sum which the average New York cow fails to return as the resultant of her entire yield in dairy produce. Hence we see that the average Iowa cow, $26 in value, yields in butter, cheese, milk, and skimmed milk to the amount of $423 annually, a little over 1,600 per cent. of her value. It is hardly necessary to repeat Dr. Loring's conclusion that farming in America, particularly in Iowa, *does* pay.

In presence of such an achievement as this of the Iowa cow, one can only mention apologetically, even by way of comparison, the results from the New York milch cow of average grade, which, with the comparatively high value of $30.50 (Report of Department of Agriculture, 1887, p. 567), only gives, according to the Report of the State Dairy Commissioner, an annual return in dairy products of $25.79—a sum, as has been previously remarked, far below the yield of the Iowa cow in skimmed milk alone. After giving the figures quoted in the paragraph above, it is surely a work of supererogation for Dr. Loring to go on to sketch some of the visible results of farming in Iowa—dairy farming particularly. It does not, for example, seem necessary to state (p. 366), "The farms of the State are in good condition. The taxes are readily paid." It is obvious that the proceeds from skimmed milk of one genuine Iowa cow would keep in good condition all the fences of a moderate-sized farm and pay all the taxes. What need is there of saying, "An air of substantial thrift pervades the State," when the most casual consideration shows that, disregarding the return from skimmed milk, a decent Iowa cow would yield in one year enough butter, cheese, and milk to pay for and keep a carriage and span of horses? Still more unnecessary is it for Dr. Loring to assert, "It is easy to see that a widespread prosperity pervades the community whose characteristics are the repose and self-possession which attend success." Any farmer who receives an annual income of $8,460 from a herd of 20 cows, worth $522, has achieved a success of which repose and self-possession are but feeble

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indications. But as Dr. Loring says, perhaps by way of explanation, "The pasturage of the State is most luxuriant."

One can almost picture our new Minister to Portugal wandering through vineyards and plantations, and discussing, with the Portuguese Minister of Agriculture, matters of bucolic lore. How deeply impressed will the latter be with the results of American dairying when he comes to calculate from the data furnished by Dr. Loring, less in the rôle of Minister Plenipotentiary than of ex-Commissioner of Agriculture Extraordinary, that the American cow of the Iowan variety gives, on an average, each day at least seventy quarts of milk.

FRANK ANGELL.

GENEVA, N. Y., April 4, 1889.

CUSTOM VS. CONSTITUTIONS.

TO THE EDITOR OF THE NATION:

SIR: A correspondent, in a recent number of the *Nation*, takes issue with Mr. Bryce in regard to the alleged omnipotence of a State Legislature except as specifically restrained by the written Constitutions of the State and the nation. What your correspondent has to say upon that subject is not only peculiarly apt, but also highly important, in view of the prevalent notion that the fabric of our State governments rests solely upon written Constitutions. It is rare, indeed, to see public officers charged with the making, adjudicating, or enforcing of the laws, appeal, in matters involving constitutional questions, from the letter of the fundamental law to the spirit of immemorial usage which animates it. Such a slavish regard for the written word in which the founders of the States have endeavored to embody the spirit of Anglo-Saxon government, and especially of American government, and such a careless disregard for the numberless usages and customs which no Constitution can ever hope to formulate, bear their fruit in the not unnatural conclusion to which even so close an observer and so careful a scholar as Mr. Bryce has been led. It is time that public attention be directed less to written Constitutions, and more to the customs and principles on which they rest and from which they derive their strength.

One of the most valuable contributions that have been made to this end is to be found in an opinion delivered by Judge Cooley in the case of the People vs. Hurlbut (24 Mich., 44). In this case the Legislature of Michigan undertook to appoint the members of a Board of Public Works for the city of Detroit. The appointment was resisted on the ground of its unconstitutionality. Judge Cooley in his opinion makes use of the following language:

"We must assume [from a written Constitution] either an intention that the legislative control should be constant and absolute, or, on the other hand, that there are certain fundamental principles in our general framework of government which are within the contemplation of the people when they agree upon the written charter subject to which the delegations of authority to the several departments of government have been made. That the last is the case appears to me too plain for serious controversy. The implied restrictions upon the power of the Legislature, as regards local government, though their limits may not be so plainly defined as express provisions might make them, are nevertheless equally imperative in character; and whenever we find ourselves clearly within them, we have no alternative but to bow to their authority. The Constitution has been framed with these restrictions in view, and we should fall into the grossest absurdities if we undertook to construe that instrument on a critical examination of the terms employed, while shutting our eyes to all other considerations."

And, after a careful survey of the historical development of local self-government and its relations, historically and politically, to the State, he continues:

"Some things are too plain to be written. If this charter of State government which we call a Constitution were all there was of constitutional command; if the usages, the customs, the maxims that have sprung from the habits of life, modes of thought, methods of trying facts by the neighborhood, the precepts which have come from the revolutions which overturned tyrannies— . . . if a recognition of all these were to be stricken from the body of our constitutional law, a lifeless skeleton might remain, but the living spirit, that which gives it force and attraction, which makes it valuable and draws to it the affections of the people, that which distinguishes it from the numberless Constitutions, so called, which, in Europe, have been set up and thrown down within the last hundred years— . . . this living and breathing spirit, which supplies the interpretation of the words of the written charter, would be utterly lost and gone."

These words of perhaps the greatest living American jurist ought to be carefully weighed by all those who, like Mr. Bryce, are likely to fall into the error of supposing a State Legislature to be, save as restrained by written Constitutions, as omnipotent as the English Parliament. Our courts are the real guardians of our liberties, and, so long as they maintain their purity, will enforce not only the guarantees of written charters, but also the unwritten principles of constitutional government.

E. W. H.

MINNEAPOLIS, MINN., April 3, 1889.

REGULATION OF THE FRANCHISE.

TO THE EDITOR OF THE NATION:

SIR: A correspondent in your issue of March 28 thinks it strange that the Democratic party of North Carolina have passed no act properly regulating the exercise of the elective franchise. In those communities which have a large negro population, it is very difficult to prevent improper votes from being cast, because the majority of negroes applying to vote are wholly unknown to the judges of election. Any one who has observed an election in one of the "black" districts must have been struck with this fact.

Perhaps an explanation of the failure of the Legislature of North Carolina to pass any legislation upon this subject may be deduced from the fact that there is a large portion of the State which does not suffer from the evils mentioned. In western North Carolina only a small portion of the population is composed of negroes. The western part of the State would naturally not sympathize with the efforts of the eastern counties to regulate the franchise, and would be unwilling to put themselves to any inconvenience to benefit others.

A bill was introduced in the Legislature of this State recently, which adopted the main features of the Australian system as far as the secret ballot is concerned. It further provided that where a voter was not known to the judges of election to be qualified to vote, he should prove that fact by the testimony of two citizens of the voting precinct known to the judges. Otherwise, he could not vote unless he produced a poll-tax receipt for the fiscal year preceding the election.

The bill was defeated by the votes of the Republicans in the House of Representatives, largely aided by the votes of northwest Arkansas, the strongest Democratic stronghold of the State. The reason of their opposition is perhaps best stated in the language of their leader in a speech closing the debate:

"You may be able to make your 'nigger' toe a mark thirty feet away from the ballot-box, but I want to tell you now that the white people of the north part of this State will be slow to comply. They are a law-abiding people, and if this bill should become a law I hope they will obey until we can repeal it; but I must confess I have some doubt as to whether you can, even by law, force a proud American citizen who has lived in the mountains of Arkansas for years, and breathed its pure air and drank from its pure, sparkling streams, to toe a mark and put his hat under his arm and take out his poll-tax receipt in one hand and his ballot in the other, and walk up and ask if his name is registered."

It would be interesting to know whether a similar reason is not at the bottom of the failure of the Legislature of North Carolina to enact some law upon the subject.

Very respectfully, T. D. CRAWFORD.

LITTLE ROCK, April 1, 1889.

COLLEGE INSTRUCTION BY LECTURE.

TO THE EDITOR OF THE NATION:

SIR: While "A. G. G." (in No. 1239) is treating of the abuse of the college examination and the remedy therefor, I wish to enter a protest, if space be allowed me, against a custom quite as widespread and almost equally pernicious. In the letter referred to are these sentences:

"In ethics the subject is first treated in a series of thirty-four lectures, of one hour each. Each student is required to take notes on these lectures, and he is encouraged to make them as full and accurate as he can. After the lecture, he rewrites and improves his notes."

It is to direct attention to this custom of attempting to impart information by lectures that I write.

A seemingly sufficient objection is, that it is prodigally wasteful of time. The hour that the professor occupies in reading his lecture, the student spends in the mechanical labor of writing down the spoken words. Then he is supposed to spend (and he must if he "improves" any) another hour in reducing the hastily scrawled and all but illegible notes to a plainer and more enduring form. The first hour the student has performed the work of a stenographer, the second that of a bookkeeper, with the skill of neither. Whatever its object may be, its practical result is the getting the ideas of the professor before him in an accurate and available form. Having accomplished so much, he can proceed to study and reflect upon the more abstruse points of the address, and perhaps read a few references. Judging from my own experience, this time is worse than wasted: it has imposed needless and irksome work entirely foreign to the purpose of lecture-giving. One half-hour of study with the professor's lecture before him in printed form would accomplish more for the student than the two hours of scribbling.

A second objection is the inaccuracy that results. "A. G. G." says the student "is encouraged to make them *as full and accurate as he can!*" My dear sirs, professors all, who read the *Nation*, and, mayhap, are accustomed to lecture yourselves, is it not your business to see to it that every student who comes under your care shall have the matter you wish him to understand placed before him with absolute and entire accuracy? Instead of that, you puzzle, annoy, and set down as a stupid many a young fellow, because, indeed, he has not facility in transcribing and reproducing the ideas you have so admirably presented.

I have a trunk full of note-books—and I confess that many of my lectures, for lack of time, were never rewritten—containing what I could catch of ethics, æsthetics, philosophy, political economy. Instead of being well-nigh invaluable as containing the elements of the subjects treated, they are well-nigh worthless. Fully one-third was never set down, one-third is illegible, and the remaining portion is too incom-

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plete to be of service. These lectures represent several years of "education." Printed, they would be an enduring and helpful presence; as it is, they are a brilliant memory.

The custom is old; it is not merely a mediæval one—it belongs with hieroglyphics, cuneiform inscriptions, and peripatetics. It is out of place in the age of the printing-press and the manifolding typewriter. It ought to go.—Very respectfully, THEODORE JESSUP.

BALDWIN, WIS., April 2, 1889.

COLLEGE EXAMINATIONS.

TO THE EDITOR OF THE NATION:

SIR: The best method of conducting college examinations will doubtless be an unsettled question for some time to come, but the speediest way of arriving at a comparative solution is by an interchange of ideas and by a comparison of the results of experiments.

Your correspondent in the *Nation* of March 28 very naturally found an oral examination "little better than a farce" when only a few minutes were devoted to each pupil. But, without question, an oral examination has some advantages peculiarly its own, and the advantages of an oral examination properly conducted should not be underestimated. I quote from a letter of Dr. Arnold, dated March 17, 1838, to the Chancellor of the University of London, on the subject of vivâ-voce examinations:

"First. The exercise of extempore translation . . . is an exercise of exceeding value; . . . and if men are tried by written papers only, one great and most valuable talent, that of readiness, and the very useful habit of retaining presence of mind, so as to be able to avail one's self without nervousness of all one's knowledge, and to express it by word of mouth, are never tried at all. Second. Nothing can equal a vivâ-voce examination for trying a candidate's knowledge in the contents of a long history or philosophical treatise; . . . for a man's answers suggest continually further questions; you can at once probe his weak points; and, where you find him strong, you can give him an opportunity of doing himself justice, by bringing him out especially on those very points."

The first objection urged against a written examination at the end of the term is, that "preparation for it led (almost necessarily) to cramming," but this objection can be urged with almost equal force against any kind of examination, and the only remedy for this widespread evil, so far as I can see, is to free the pupil from a tendency to it by insisting upon thorough daily labor. If written examinations foster "the vice of cheating," and if students "make and carry in notes concealed from the professor by every conceivable artifice," and "tear up text-books and conceal the fragments about the person in many ways," then there is evidently something wrong in the moral tone of the institution, and the remedy is to be sought deeper than in the form of the examination. If the honor of a student cannot be relied upon, we had better adopt at once the Chinese plan.

In all the colleges of which I have any knowledge (they are Southern ones), the only restraint placed upon the student is the reliance on his honor, and dishonesty is rare in the extreme; but, if there should be an offence of this kind, the sentiment of the body of students compels the offender to leave immediately. These written examinations are very valuable to the student, for they enable him to summarize his work for the term and to gain a comprehensive view of the scope of his work.

The system proposed, which is described as a "method of detailed written reviews," is, to my mind, a very imperfect one, although it has many excellent features. Used alone, I note the following objection to it: it facilitates "cramming," for it is easier to reproduce thirty pages by a temporary stress of memory than three hundred; even a good student, having a fair knowledge of a subject in its parts, may fail to comprehend it as a whole.

Some experience has shown me that to give students a chance of doing full justice to themselves, and, at the same time, to benefit them most, a combination of these methods is necessary, and the following is a brief outline of the method I am accustomed to pursue. At the close of every five weeks, reviews of the text studied in that time are held; these reviews are sometimes written, but generally oral, and occupy only the usual recitation hour. Then a written examination of half a day is given at the end of each term. After these have been graded and averaged, from twenty to thirty per cent. of the whole examination is allowed as a maximum for the *daily average* in recitations. The combination of the class standing and the review examinations with the semi-annual ones does a great deal towards getting rid of chance, and at the same time does justice to the whole of the student's knowledge, and is of special benefit to timid students whose presence of mind fails them in the examination room. It is apparent that, by combining these different factors, the merits of one system supplement those of another, and defects are reduced to a minimum.

One of the best ways, both of preparing a student for examination and of shaping and fixing his knowledge in his mind, is to insist upon continual original work in all branches of study, by means of weekly exercises, which are corrected and handed back to him.

As your correspondent said in regard to his system, all this means work, and an enormous amount of work, but the results are so satisfactory that the conscientious teacher is compensated, realizing that there can be no excellence in the pupil without labor on his part.—Very respectfully, GEORGE SHIPLEY.

MIDDLEBURG, VA., April 4, 1889.

THE INTER-STATE COMMERCE AMENDMENT.

TO THE EDITOR OF THE NATION:

SIR: The report of the Inter-State Commission appears to me to present some subjects worthy of notice apart from the results of their action, which I am probably not competent to criticise.

The inherent objection to all commissions of the kind is most obvious, namely, the desire to extend their jurisdiction or power, and the evident desire to interfere with what has been withheld. The notion that they can regulate men's business better than the owners can is quite patent. On page 4 there is asserted a right to inquire into the concerns of every corporation engaged in inter-State commerce, because that information will enable the Commission to deal the more efficiently with the subject committed to them. Why confine this to corporations? If the reason or ground for the claim warrants the arrogation of the power, evidently not a dealer or trader exists whose business arrangements are not liable to be made public at the demand of this Commission. They ask that carriers by water shall be subjected to their control; and look at the consequence: Tramp ships can skin the regular carriers alive, for the essence of the demand is that no carrier shall lower or raise his rates without adequate notice—a fair provision where all are subject to it, but where rivals are not, how absurd! And is it intended to prohibit charters without ten days' notice to the public of the rate? On page 22 the Commission undertake summarily to declare that they, and not the carriers, are the proper persons to name rates on different kinds of goods. Under this system the packets would have been prohibited bringing out Scotch pig as ballast.

In respect to the main assertion, however, the cardinal object of the statute, they have, in my judgment, exhibited a most remarkable want of the judicial faculty. If there be a maxim more valuable than another, it is that phrases which have an ascertained meaning in the courts are presumably used in that sense in subsequent legislation. Now, discrimination between shippers never has been objected to. Nobody ever supposed that an obligation to treat all customers alike prevented discrimination. No one ever supposed that universal laws of trade were to be disregarded. Yet these gentlemen evidently (p. 10) treat as absurd the notion that one who stipulates to furnish a train-load can be dealt with at a lower rate than one who sends a tenth of a car-load. But they seem to ignore the fact that—(1.) The statute does not prohibit discrimination. As I remarked, that would be to disregard the laws of trade and make it illegal to sell by the cargo lower than when selling by the ounce. (2.) That it is *unjust* discrimination at which the act is levelled, and which is made criminal by the amended statute. (3.) That what they denounce on page 10 was decided to be legitimate, under a provision requiring all customers to be put upon an equality, as long ago as 1858. To deny this to the carrier may be right, but one must take care of his words when he does it.

It reminds me of that phrase which always precedes the surrender of the litigant to the caprice of the judge, *sound discretion*. I once knew a court, in the exercise of a sound discretion, sanction the sale by a trustee to himself at a less price than was offered by a stranger; and, strange enough, they would not, though requested, change the term by which they defined the reason for this judgment. But, as I read the act, Congress has not yet determined to set up a commission who shall supplant the managements of all the railroads. They are doubtless bad at times, but a commission would be worse.

If I understand the statute, the power to interfere, being conferred by statute, is limited to the cases defined. A general paternal supervision is not conferred, and never will be while we are a free nation. Better by far assume the business and let the nation be the universal carrier. The statute is aimed at an *unlawful* discrimination of rates (sec. 2 of the amendment) and *undue and unreasonable preference* (sec. 3 of the original); and when the same distinction that prevails in all business between wholesale and retail transactions is declared to be proper when construing an act prohibiting discrimination, can it be possible that the Commission have the right to disregard it in construing the new statute?

For what purpose is the word discrimination qualified by the adjective unjust or unlawful? or advantages qualified by undue and unreasonable? In the same way, the qualification in the long-and-short-haul clause seems to be disregarded.

Doubtless there are cases that seem very hard—possibly they are so; but if it is proposed to treat the fact that the long haul takes an entire train and the short hauls are of fractions of trains between the same termini, as an immaterial difference, it is a mistake. No

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one who knows anything of the practical operation of a railroad but must know that it is impossible to carry the short hauls for the same gross sum as the long hauls, for the simple reason that the delays in casting off the cars at each local station cause an expenditure in wages and car hire for the short haul double what they are on the long haul.

If, for instance, it takes fifteen minutes to get the train under way after stopping to deliver the cars for the way station, if the through-train takes ten hours, and there are forty stations for the local train, the latter will require double the time for delivering the same quantity that the through-train requires. Upon the hypothesis, the same quantity of rolling-stock is used and the same wages paid per hour. The receipts being the same, the expenditures are double. Then ask what proportion of the expenses of railway management is attributable to wages and rolling-stock.

It is also stated as a debatable point (p. 10) whether the lowering of rates so that any trade with a particular point is practicable is permissible. If not, there should be a new set of rules framed that will explain how one is to expect to get a dollar for an article in the open market which is offered at fifty cents. This reminds one of flat money, only it is much more absurd, because it is absolutely impossible even for tyranny to maintain. R. W. M.

PHILADELPHIA, April 8.

THE NORTHWEST RAILWAY SITUATION.

TO THE EDITOR OF THE NATION:

SIR: The *Nation* of March 28 contains an article entitled "The Northwest Railway Situation," beginning as follows: "Under reductions begun by the Chicago, Burlington and Northern Railroad, the old flour and grain rate of 7½ cents per 100 pounds between Minneapolis and Chicago, which was raised to 12½ cents by great efforts last fall, seems likely to be reëstablished." The grain and flour situation is discussed, and some of the questions incidental to it—including milling in transit, the origin of the grain, and the destination of the flour.

In my opinion, the article is wrong in the statement that "the road which brings in the wheat and can carry out the flour feels, rightly and naturally enough, that the flour belongs to it." The railways which bring wheat from the West to Minneapolis, in place of taking it to points on their own lines east of Minneapolis, do so because they cannot help themselves. The milling facilities at Minneapolis attract the grain, and the railroads take it there. When the wheat reaches Minneapolis, it changes ownership, usually once at least, and may change several times. It changes its character as well, and goes out as manufactured product—the flour in one direction and the bran and other low-grade products usually in another.

The questions involved in milling in transit have been gone over so often in the past that perhaps it is not worth while to discuss them now. It is a matter of opinion as to who is right about it, and the "transit" roads and the "non-transit" roads differ in accordance with their several interests. I believe it to be a fact, however, that among railroad-traffic men who have no interest in the question, but who have examined it, the preponderance of opinion agrees with the position taken by our company. This is an opinion about which we have nothing to say; but the article in question contains direct misstatements, of which, perhaps, you would like to be advised. The reductions in question were not made primarily by the Chicago, Burlington and Northern Company. The facts in the case are as follows:

One road took flour from Minneapolis to Lake Superior without fixing any price at all, billing it without freight charges, leaving the same to be determined on the opening of navigation in the spring. Another line, discovering this, reduced the rate from Minneapolis to Lake Superior from 7½ to 5 cents per one hundred pounds. Thereupon a line doing business through Canada reduced the rate from Minneapolis to a point occupying the same relation to that route that Chicago occupies to ours, to 7½ cents per 100 pounds. The latter rate was then met by our company.

The writer of the article in question may not have had opportunity to get at the facts, and therefore unintentionally misstated them.

Canadian lines have been for some time past able to secure freight which they have never been able to take before. The Inter-State Law is the direct cause of the trouble, forcing the business of Minneapolis out of the country by the shortest possible route. A large part of the flour ground at Minneapolis goes to Europe. The transportation lines from Minneapolis to all United States seaports are, of course, subject to the provisions of the Inter-State Law. The direct result is, that business naturally takes the route where it is least obstructed, and therefore goes via Canadian railways to Canadian seaports, instead of via our railways to our seaports.—Yours truly,

GEO. B. HARRIS, Vice-President.

CHICAGO, BURLINGTON AND NORTHERN RAILROAD CO., ST. PAUL, MINN., April 6, 1889.

JOSEPH COOK.

TO THE EDITOR OF THE NATION:

SIR: In my judgment you are decidedly in error in intimating that the power and popularity of Joseph Cook are declining. If the test of power and popularity is the space given to a man in the Boston daily press, then Sullivan is a greater man than Phillips Brooks, A. J. Gordon, or Joseph Cook. As to popularity, it is a wonder that the fearless champion of popular reforms was greeted at his two hundred and tenth lecture, on Monday, March 25, when I was present, by the same matchless audience as to quantity and quality that he used to have when his lectureship was a novelty. I know Boston, and I know that its aggressive leaders were largely represented and profoundly appreciative of the speaker's words that were half-battles. That the lectures are less published than formerly is due to the fact that Mr. Cook prefers to publish them in his own magazine, *Our Day*. His engagements to lecture, at prices like those of Gough and Phillips, five or six times per week from four to six months per year, do not betoken fading popularity.

WILBUR F. CRAFTS.

BOSTON, March 26, 1889.

FAUST AND LESSING.

TO THE EDITOR OF THE NATION:

SIR: Your first impression about Prof. Moritz Carriere's article on the authorship of Goethe's "Faust," attributing it to Lessing, that it was only a "clever (?) bit of persiflage," was, after all, the correct one. Prof. Carriere declared it so under his own signature in a letter which, unfortunately, I have not at hand and can therefore not quote, addressed to the *Revue Politique et Littéraire* (*Revue Bleue*) of Paris, which had fallen into the same mistake as the *Nation*, and for the same reason. Prof. Carriere's case is a little like the boy's who had to write under his drawing, "This is an ox." The learned Professor omitted to write as an epigraph to his paper: "This is a joke."

Yours truly, A. C.

CAMBRIDGE, MASS., April 6, 1889.

Notes.

HARPER & BROTHERS publish this week 'Further Reminiscences,' by W. P. Frith; the third edition, revised to date, of 'A Manual of Historical Literature,' by President Adams of Cornell University; 'The Tramp at Home,' by Lee Meriwether—studies in the condition of the working classes; and 'The Mouse-Trap, and Other Farces,' by W. D. Howells, illustrated by C. S. Reinhart.

Macmillan & Co. announce as the second issue in their dainty "Temple Library" 'The Poems and Plays of Oliver Goldsmith,' edited by Austin Dobson, and illustrated by six etchings; in their new "English Men of Action" series, a 'Life of Livingstone,' by Thomas Hughes; in their new "Library of Philosophy," 'Epistemology, or the Science of Knowledge,' by Dr. James Ward of Trinity College, Cambridge, and a translation of Erdmann's smaller 'History of Philosophy,' in three volumes; and 'The Swiss Confederation,' by Sir Francis Ottiwell Adams and C. D. Cunningham.

'John Charaxes,' a novel imputed to Mr. George Ticknor Curtis, is in the press of J. B. Lippincott Co. It bears upon the question leading up to the civil war.

Cassell & Co. have published a new edition of the 'Life and Times of John Bright,' by William Robertson, which originally stopped at the year 1883. It is now brought down to the present moment, when the great orator and reformer is no more. This work is, in a literary point of view, much inferior to Mr. G. Barnett Smith's memoir (1881), but as it, too, quotes freely from Mr. Bright's speeches, it cannot be thought superfluous for reference on the same shelf with Mr. Smith's. We could say this with greater emphasis if the index were adequate, which it is far from being. The thirty-eighth chapter, for example, is on "The Civil War in America," but no reference to the war, to the cause of it, or even to the United States, is to be found in the index. Mr. Robertson's capacity for historical summaries outside of his own province is shown by his account of the origin of the rebellion: "The quarrel arose through there being a disposition in the North to abolish slavery throughout the Union; and the election of Abraham Lincoln, who was the first anti-slavery President, brought matters to a climax," etc. Not a few admirers of Mr. Bright will wish the last chapter, on his attitude towards Home Rule, had never had to be written.

Houghton, Mifflin & Co. publish a complete edition, in four volumes, of the works of the late Rowland G. Hazard, edited by his granddaughter, Caroline Hazard. It consists of two volumes of miscellaneous essays arranged under a general head, and two distinct philosophic treatises on the Will; and all bound so that each volume can be bought separately. That on Language contains a brief and interesting memoir of the author, but it ought to receive a title which would suggest the nature of its contents more accurately, for it is really a collection of interesting literary, moral, and biographical essays. The philosophic volumes on "Freedom in Willing" have

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a double interest in having originated, one of them from a suggestion of Dr. Channing that he refute the arguments of Jonathan Edwards, and the other in a correspondence and controversy with John Stuart Mill, and also in having been the work of a man who was engaged all his life in manufacturing and business. Several essays are published for the first time. The collection on "Politics and Economics" contains several on questions of current public interest, one written in 1864 on the wool tariff, and one in 1885 on the existing tariff in general. One in 1840, after the election of Gen. Harrison, on political morality, outlines the present position of the Independents as to civil-service reform. All show how much a busy man with a sound moral and philosophic judgment may do for literature, benevolence, and good government, the three objects for which Mr. Hazard seemed to live. The paper and print are excellent, and the editing is of the best.

Dr. Georg Steindorf of the Berlin Museum has translated Maspero's 'Egyptian Archæology' into German (Leipzig: Wilhelm Engelmann). The German edition is more convenient than the French original or the English translation by Miss Amelia B. Edwards, as it is provided with an index. Dr. Steindorf has also added some valuable notes.

Cassell & Co. send us their annual 'National Academy Notes,' Mr. Charles M. Kurtz's illustrated catalogue of the exhibition of which we speak in another column.

The February *Portfolio* (Macmillan) has for frontispiece an exceptionally fine photogravure after one of the three Van Eycks in the National Gallery, the turbaned head of an unknown man; W. J. Loftie's papers on Westminster Abbey are continued, with the aid of a variety of illustrations; and others, on the Certosa of Pavia, by Selwyn Brinton, are begun, with two process views of the façade. Dartmoor is the subject of papers in both the February and March numbers, with etchings of scenery and cuts of antiquities.

L'Art for February 1 (Macmillan) offers new documentary evidence concerning the Bellini family of painters, and numerous examples of the art of the late Eugène Lavieille, the landscapist, who died in January last. In the issue for February 15 Troyon is the leading theme, again with much accessory illustration. It is told of this painter that he acquired the masterpieces of contemporary artists, like Delacroix, Rousseau, Millet, Dupré, leaving at his death a very pretty fortune in this collection. He was an indefatigable worker, and of equal modesty and independence.

The *Photographic Times* of this city, for April 5, tells of a prize worth $200 offered by the Executive Committee of the Photographers' Association of America for three plain photographs illustrating Longfellow's "Evangeline."

The veteran philanthropist George Jacob Holyoake has just begun "an occasional magazine advocating the amity of nations," called the *Universal Republic*, and published at 6 Salisbury Court, Fleet Street, London, E. C. He disclaims any thought of profits from the enterprise, and apparently does not contemplate an organized propaganda; nor do we find in the first number any definite statement of means to the desired end, though there is reference here and there to things which make for international peace and good-will. Mr. Holyoake's address is Eastern Lodge, Brighton, England.

The fourth number of the seventh series of the Johns Hopkins University Studies in Historical and Political Science relates to the "Municipal History of New Orleans," the writer being Mr. William W. Howe. The fifth section deals with charitable endowments, and gives, among others, a brief account of the McDonogh fund, with which the city builds its school-houses.

We have received the March Proceedings of the American Society for Psychical Research (Boston: Damrell & Upham), in which the general reader will find most entertainment from studying the report of the Committee on Phantasms and Presentiments, by Prof. Josiah Royce, the appendix of narratives, and Prof. Royce's comment on these. We pick out a practical item from a communication on the general subject by Prof. Coleman Sellers, under date of December 20, 1888, to the effect that "a flash of thought" unconnected with a conscious train of reflection gave him an invention for "racking back" on the Remington type-writer, in a manner corresponding to the advance by means of the spacing-key.

The Proceedings of the American Oriental Society at Philadelphia last autumn have been issued in connection with vol. xiv of the Journal. Vol. xiii, with the Proceedings to May, 1888, is promised shortly.

"The Dimensions of the Babylonian Ark" are discussed in No. 36 of the *American Journal of Philology*, by Paul Haupt, after the cuneiform tablet. He even determines the draught of the vessel, viz., 80 half-cubits; the Babylonian cubit being .5328 metres.

H. Gaidoz, in *Mélusine* for March 5, takes up once more the judgment of Solomon, using as his point of departure an ancient intaglio, apparently of Eastern origin, which represents the disputed infant held like a frog by the King, while the executioner is ready to divide it with his sword, and one of the women is suppliant at Solomon's knees. Solomon, M. de Longpérier has remarked, is slighted by the evangelists, and has rarely been the theme of Oriental Christian art. With the Arabs his vogue was quite different.

We learn that the Greek Government has taken the privilege of excavating Delphi from both French and Americans, and given the concession to the Greek Archæological Society exclusively.

"C. W. G." writes us from Philadelphia: "Apropos of your recent correspondence regarding the word *topsyturvy*, it may not be uninteresting to call your readers' attention to the τρέπουσα τύρβ' ἄνω κάτω of Æschylus. Of course it is only a coincidence of sound and idea alike between the Greek and the English. Not often does our language take up words from another and make a common or vulgar use of them, as the French has done with the *tohubohu* of the Hebrew. Even so plausible a derivation as that of the French *charivari* from the late Greek χαλυβάρια (kettles) is to be received with much caution unless the history of the word can be traced."

The attention of the editor of the *Revue Historique* may be called to the fact that Prof. J. (not "G.," as he has it) B. McMaster did not die upon the completion of the second volume of his 'History,' as is stated by Mr. A. Moireau in the March-April number, page 420.

Prof. O. H. Mitchell, who held the chair of Mathematics at Marietta College, Ohio, died of pneumonia on the 29th of March, at the age of thirty-seven. He was one of the authors of the 'Studies in Logic by Members of the Johns Hopkins University.' His paper on a new method of Symbolic Logic in that volume was a work of great originality, and we venture to predict that it will hereafter be found to be the most valuable contribution that has yet been made to that subject. He also contributed several articles to the *American Journal of Mathematics*.

—The newly-issued Calendar of the University of Michigan indicates an unprecedented attendance of students at that institution. The total registration for the current academic year is 1,882. In view of Governor Luce's recent recommendation of an increased fee for non-residents of the State, it is of some interest to see where these students come from. Of the total number Michigan furnishes 876, or about 46 per cent.; 695 come from other Western States and the Territories; 146 from the Middle States; 45 from the Southern States; 32 from New England, and 88 from various foreign countries. It is in general somewhat difficult to formulate the motives which govern American youth in their choice of a college. Often the son goes where his father went. Again, social or confessional grounds, or the recommendation of a teacher or pastor, becomes the decisive consideration. Much more rarely than trustees and professors like to think, probably, does the choice turn upon a deliberate preference of the youth themselves for particular teachers or particular "facilities." But, in spite of the difficulties besetting the subject, if the question be raised, what it is that draws a thousand students from outside of Michigan to Michigan's University, we should venture to guess that, along with the institution's atmosphere of liberty and the admitted excellence of its "plant," its low fees have a great deal to do with the matter. At present a resident of the State pays in fees for his whole four years' course from $90 to $110; a non-resident from $145 to $165. The administration of the University is historically committed, for reasons that are not far to seek, to this policy of low fees, but the founders of the policy, of course, had in mind primarily the needs of Michigan students. There exists no good reason in logic or in political economy why the people of a State should go out of their way to furnish cheap education to those who are not of the State. On the other hand, it is tolerably certain that any considerable increase in the fees of non-residents—that is, any increase worth talking about from a fiscal point of view—would greatly cut down the attendance of foreign students, and thus not only deprive the establishment of whatever prestige there is in numbers, but perhaps actually reduce the total revenue received. Friends of the present arrangement argue that the foreign students are worth, in a purely pecuniary sense, more than they cost. We do not know whether this somewhat singular problem of State politics, if so it may be called, has come to the front elsewhere than in Michigan or not.

—No period of history is so difficult to study as the most recent, partly from the lack of perspective with which we look at events near to us, partly for the reason that the materials for this study are only by slow degrees gathered, sifted, and assayed. A great deal of the most valuable material, indeed, will not be accessible until another generation. The lack of perspective cannot, of course, be remedied; the defect of materials has been largely supplied by the admirable syllabus of Professors Levermore and Dewey, entitled 'Political History since 1815' (Boston: Schofield). This consists of an introduction and twenty-four lectures, which begin with England and end with Africa, the United States being excluded. Being a "political" history, it takes no account, except incidentally, of other departments of the subject; wars are of course referred to, but even economical and industrial history receives rather scant attention. Perhaps, to have given

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these events the space which they required would have unduly swollen the bulk of the book; as it stands, it only professes to take up a limited field, and this it does almost exhaustively. A more serious defect is the absence of a general sketch. It is a series of national histories, but we find no general history of the period, nothing to show the relation of the nations to one another, and the succession of great European controversies. We hope that a future edition will add two or three lectures, to coördinate the information contained in the present work, and present a combined view of the history of mankind during this period. This would be assisted by chronological and genealogical tables, and by an index, which the present volume lacks.

—In the *Nation* of April 28, 1887, we noted the beginning of a series of "Einzelbeiträge zur allgemeinen und vergleichenden Sprachwissenschaft," to be published by W. Friedrich of Leipzig. The third number of the collection, which now lies before us, is a volume of 354 pages by Dr. Kurt Bruchmann of Berlin, and is entitled 'Psychologische Studien zur Sprachgeschichte.' The book bears the motto "Feeling is everything." It is essentially an attempt to throw light upon the parallel development of feeling, thought, and language as mutually affected and determined by one another. Our attention is drawn to the fact that in all languages many phrases and sentences are employed which seem, on the face of them, to have an intellectual basis—that is, to imply thought, conviction, intention—when in reality they do nothing of the kind, but are mere senseless expressions of emotion. To introduce us to his line of thought, Dr. Bruchmann comments upon the sentence, "Go to the devil." He observes that the one who delivers this command does not expect any one to "go" anywhere. Very likely he does not believe that there is any devil. Also, he is fully aware that the person addressed would be quite at a loss, if he wished, to execute the order given. In short, the words of this command are hardly "language" at all, but a mere expression of strong disapproval, a sort of roundabout "ugh." Taking this case as a starting point, the author proceeds to quote from many different literatures a large number of locutions which illustrate this tendency of speech. The second part of the volume is devoted to psychological observations upon the data collected. Its style is somewhat too abstract and metaphysical to be fascinating, and the reader occasionally comes across a very simple and familiar idea couched in verbose and circuitous phraseology. Nevertheless, the work presents an interesting contribution to an important line of linguistic study. It deserves to be generally read by philologists.

—It has been announced that the third and last part of the Norwegian Professor Sophus Bugge's 'Studien über den Ursprung nordischer Götter- und Helden-Sagen' is about to appear. This announcement will be received with the greatest interest by mythologists as well as by the students of Teutonic philology. The first two parts appeared, as will be remembered, in 1881, and caused no little stir in the scientific world, especially in Germany, whose scholars used to consider the Norse mythology as representative of the original Teutonic, and in the Scandinavian myths loved to find manifestations of the pure and unadulterated German spirit. For in this work Mr. Bugge boldly asserted the influence, not only of the Christian religion, but also of the ancient Greek-Roman mythology—through Christian missionaries, be it understood—upon the old Norse myths. At the same time the Scandinavian poets, even if their subjects were partly foreign, treated this borrowed matter in an entirely national manner, so that the Old Norse poems are none the less characteristic manifestations of the Scandinavian genius. In the two parts of this work which have already appeared, Prof. Bugge treats of the Balder myth—the "white god" who has so many traits of character in common with Christ. The late Prof. Müllenhoff of Berlin assaulted Prof. Bugge vehemently in the fifth volume of his 'Deutsche Alterthumskunde.' Nevertheless Bugge, in the last part of his book, which treats of the Scandinavian Freyja, a goddess bearing in many respects a striking resemblance to the Roman Venus, still upholds his theory, and even considers it definitively proved.

THE NEW ENGLISH DICTIONARY.—II.

A New English Dictionary on Historical Principles. Founded mainly on the materials collected by the Philological Society. Edited by James A. H. Murray, with the assistance of many scholars and men of science. Part iv, sec. 1. Bra—Byz, completing vol. i (A and B). Part iv, sec. 2. C—Cass, commencing vol. ii. Oxford: Clarendon Press; New York; Macmillan & Co. 1888.

Let us now turn to another branch of the subject which is of more peculiar interest to us in this country, but which at present seems to be exercising the minds of Englishmen also. The question of Americanisms has recently come to attract attention in a marked degree. This is partly due to the fact that there is supposed to be a great divergence going on between the language of Great Britain and that of the United States. English writers make it of late the subject of constant comment, and American ones, so far now from resenting it, are disposed to plume themselves upon the fact. That differences must arise is inevitable. They will spring up wherever new conditions demand new words or demand the use of old words in new senses. In that respect they will develop themselves as rapidly in Australia as in America. There are, besides, peculiarities of usage belonging to one section of the Anglo-Saxon race which will find no admission, or very late admission, into the other. Actual differences of pronunciation do exist and will continue to exist, and that, too, in cases where it is almost impossible to furnish a reason for the divergence. No satisfactory explanation has yet been given of the almost absolute failure of the misuse of the letter H to reproduce or perpetuate itself upon American soil. It is common in England now; in its origin it goes back to the remotest times; yet for some inexplicable cause the air of this country seems fatal to its survival, though it must often have been imported at different periods. Take an even more striking illustration, because it extends to the educated classes in both countries: if the assertion of Prof. Skeat is to be trusted, it is the exception rather than the rule that the aspirate in words like *which*, *whig*, *why*, is pronounced in Great Britain. In the United States the failure to pronounce the aspirate would be the exception rather than the rule.

Differences therefore exist, and they have of late been made especially prominent by two causes. One of them is the custom of selecting slang or popular phrases from all parts of America, and then composing a piece of some length in which they are all carefully included. This within the past few years has been frequently practised by English writers, sometimes for the sake of ridiculing the resultant speech, sometimes for the sake of admiring it as a vigorous Doric dialect racy of the soil. Now, if this sort of work were done accurately, which it very rarely is, the impression produced by it would be utterly misleading. In nearly all cases it is both misleading and incomprehensible. The native of this country who reads this specimen of attributed peculiarities of speech finds a perfectly familiar expression followed by others which are as strange to him as they would be to Englishmen. For the difficulty with a large proportion of Americanisms is that they are local. Common in one section, they are utterly unknown in another. Yet, while local, it is no easy matter to assign them precise or at any rate restricted limits. Such is the constant movement of population on this continent that expressions the most remote from the ordinary speech of any particular community may be found in the mouths of individuals residing in that community. In this way an entirely erroneous impression is given of the extent to which particular words and meanings and phrases are used. But manufactured articles of the kind we have spoken of are no more representative of the American speech as used anywhere than similar articles made up from the dialects of the various English counties would represent the speech of any Englishman anywhere.

Another and probably far more potent reason for the attention now paid to this subject, is that whenever the average English reviewer comes across a word in an American author with which he is unfamiliar, he immediately sets it down as peculiar to this country. Especially is this the case when some phraseology occurs to which he has for any reason taken a dislike. Unhappily it is the fact that good and often brilliant as are the critical essays in English periodical literature, they rarely exhibit much knowledge of the history of the English language, or betray any too great familiarity with the extent of its resources. Hence it is by no means an unexampled thing for the writers of them to attribute to America the origin of words and phrases which have belonged to our speech from the earliest period, and have been ever since more or less in use. Too often, also, these imaginary peculiarities of speech are made the vehicle for expressing an ill-concealed dislike; for England, which has added and still continues to add so many illustrious names to the royal race of authors, is specially fertile in the production of fifth-rate men of letters, who feel it constantly incumbent upon them to express profound disappointment in first-rate nations or profounder dissatisfaction with their manners and ways.

The present dictionary, as it proceeds, will make clearer and clearer the falsity of the belief which fancies that there is an increasing difference between the language of England and that of America. Instead of diverging they are approaching. It is inevitable that in a period like the present this should be the case. The means of communication between the two countries are too abundant, the communication itself is too frequent, and the steadily widening influences of a common literature are too potent, to permit the development of any differences upon a large scale. The forces that make for unity will always be increasingly powerful over those that make for diversity. One of the functions of this dictionary, therefore, will be to teach the English-speaking race what are strictly Americanisms. It is for that reason that we have taken exception to the habit of appending U. S.—which in this Part, however, we have not happened to observe—to some

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peculiar usage which has been found in some one author who happens to be a native of this country, or, what is worse still, is the chance creation of some newspaper of no value or authority whatever. Americanisms can never be successfully treated so long as there is a failure to recognize the distinction between what is peculiar to the individual and what is characteristic of the nation, or at least some section of it. *Cabbalism*, for instance, is given in this dictionary with a query for one of its meanings, for which two passages are cited from Emerson. Now, the word, with this particular signification, is properly not credited to the United States, though used perhaps exclusively by a native writer; for it is very certain that nowhere in this country are men in the habit of going about and talking of "cabbalism," whatever may be the sense in which it is employed.

The information already collected in this work has been sufficient to dispose of a number of so-called Americanisms. In this respect its value will steadily increase as it advances further down the alphabet. To consult it on this one point will become increasingly necessary to writers on both sides of the Atlantic. At least it will be necessary to those who feel hesitation about pronouncing dogmatic judgments on matters of usage. A practical illustration will make clear the service it will render. At this very moment of writing we find in a late number of one of the best English literary periodicals an article upon Prof. Bryce's recent work upon this country, in which he is taken to task for employing certain words designated as Americanisms, though it is probable that this is the first time that most of them were ever included under that category. One of them is the word *anyhow*, and this usage the present dictionary enables us to test. We find it put down with two senses, and with several citations, none of which are of American origin. The earliest recorded instance of its appearance in print belongs to the year 1750, and among the authors employing it are Carlyle, Brougham, Freeman, and Newman. This seems to dispose pretty effectually of the charge of its being an Americanism, and the authority of the writers using it will probably be reckoned by most as at least equal to that of the critic who condemned it.

To descend to particulars about Americanisms, we remark a few slight deficiencies. *Campus*, used in many colleges in this country to designate the grounds about the buildings, does not perhaps deserve an entry; at any rate it does not get one. The decoy game *bunko* is very imperfectly defined—a thing perhaps not to be wondered at in proceedings about which neither the victim nor the sharper is usually anxious to diffuse information. *Brakeman* is put down as an American equivalent of the English "guard." If the English "guard" corresponds to the American "conductor"—and this is the explanation usually given in dictionaries—the statement is an error. Still, the greatest divergence which exists between the speech of the two countries is in the matter of railway terminology; and where the variation is so marked and so wide, it is hardly safe for one not fully acquainted with the usage of both to express a positive opinion. *Bull-pout*, which is queried as the name of an unknown American fish, is the same as "bull-head." We notice with some surprise that the phrase *one's cake is dough* is marked as obsolete. It is certainly far from being so in the United States. And though not strictly allied to the subject, we will remark that the novel 'Brother Jonathan,' which has been quoted several times in the course of this work, is the production of the eccentric American writer John Neal, who was in England from 1823 to 1827.

With the discussion of one word we close what we have to say of Americanisms. This is the ancient *casus belli*, the term *Britisher*. Here we are told that it is "apparently of U. S. origin, and chiefly used by or attributed to Americans." This rather cautious statement is followed by the assertion that Mr. Richard Grant White disclaimed its use in the United States, while Mr. Fitzedward Hall has known of its currency here all his life. No one can say what has not been common somewhere in a country so vast as this. Nor in any ordinary case would any scholar hesitate between authorities like Mr. White and Mr. Hall. Yet in the present instance we are bound to say that the former strikes us as being in the right; that while *Britisher* may have been employed in some sections of the Union, it has never been employed extensively. That it is of wide currency cannot be said of it even now. But whatever may be the actual facts, the treatment of the word in this dictionary hardly bears out the belief to which the editors evidently incline. While it is spoken of as being used chiefly by Americans, the singular state of things remains that not one illustration of its use is furnished from an American writer. Marryat, Leslie, Freeman, Stevenson, and the London *Spectator* are quoted; the American author is distinctly conspicuous by his absence. Later evidence may show that the term originated in the United States. We submit that all the evidence the dictionary so far has procured is that it originated in England.

In conclusion, we call attention to some of the most interesting facts which are contained in the preface to this completed volume. They will perhaps furnish to most a fuller idea than any description possibly can of the scale upon which this work is carried on, and of the results that have already been accomplished. The first volume, containing the letters A and B, embraces words to the number of 31,254. This includes what are called the main words, the variant forms, and the compounds that have a distinct meaning. If, however, the self-explaining compounds, which find a place in it, be included, the number will exceed 40,000. This would imply under the first estimate of over 31,000 that in the completed work there will be about 270,000 words recorded. But as during the period of its progress new accessions will be constantly received, it is safe to assume that the latter part of the alphabet will be proportionately fuller than the earlier, and that in the completed work the number will probably exceed 300,000.

It gives, moreover, a vivid conception of the riches of the English tongue and of the preservative power of its literature to learn that, of the more than 22,000 main words recorded here, those reckoned as obsolete are less than 6,000. Many of these latter have in truth never had any real life. They are found in the books of scholars, but they never passed into the speech of any class of educated men. There are probably scores of words contained in this volume that have never been used save by the man who originally created them. They will always be interesting as tentative efforts to express certain ideas, and no one need grudge them the space that is given here, for it is of the first importance that the dictionary should register all the terms to which English literature in its earlier stages has given birth. This from its very nature necessitates slow progress, and the work has certainly gone on slowly. But it would be a fatal error to hasten it at any sacrifice of completeness or accuracy. Such a course would be the last to meet with favor from the special body of men who are the most deeply interested in its success. If accuracy and completeness continue to be secured in the future as within reasonable limits they have been secured in the past, no serious complaints about delay will be made by scholars who have at heart the long-neglected interests of English lexicography, and who do not care so much for a work being done as for its being well done.

RECENT WORKS IN PHILOSOPHY.

A Critique of Kant. By Kuno Fischer. Translated from the German by W. S. Hough, Assistant Professor of Philosophy in Michigan University. Pp. 188. London: Swan Sonnenschein, Lowrey & Co. 1888.

Physical Realism. Being an Analytical Philosophy from the Physical Objects of Science to the Physical Data of Sense. By Thomas Case, M.A. 1 vol., 8vo, pp. 387. Longmans, Green & Co. 1888.

On Truth. A Systematic Inquiry. By St. George Mivart, Ph.D., M.D., F.R.S. 1 vol., 8vo, pp. 580. London: Kegan Paul, Trench & Co.; New York: Scribner & Welford. 1889.

Prof. Hough, in his preface, expresses the hope that his translation may prove helpful to students of Kant, but we cannot avoid believing that he labors under an illusion. Mere translations of Kantian philosophy effect very little for this end. They are well enough appreciated and understood by those who have been fortunate enough, after long study and much patience, to have found their way into the penetralia of that system, but they are to be regarded by others much as savages would regard the Rosetta stone. The reason for this is, that translations are only transliterations, and custom allows them to be nothing more. The diversities of conception and phraseology between English and German are so great that no hope can ever be entertained of making Kant intelligible to the very persons for whom a translation is presumably meant, except by a thorough exposition in vernacular English. The extent of the misunderstanding which is occasioned by translations is well shown in the cases of John Stuart Mill and Herbert Spencer, both of whom knew German philosophy only by this indirect medium. Mill, although holding Kantianism in contempt, by a little insight on his part, or by a little rational exposition on the part of others, might have seen that his "permanent possibility of sensations" was a foundation for a more radical transcendentalism than Kant's, and that the only logical issue of it is identical with Fichte's solipsism. Of Herbert Spencer a recent writer has truthfully remarked, that "he is Hegel upside down"; and certainly a man who affirms that it is indifferent whether we express the ultimate reality in terms of consciousness, or in terms of matter and motion, has little reason to oppose absolute idealism. But the fact is a measure of the evil attributable to translations.

Of the technical work of the translator there is less to criticise; Kuno Fischer is an easy author to reproduce in English. But it would have supplied a greater want had Prof. Hough translated the larger work of the same author on Kant. There is a most decided weakness in the uniform interpretation of *Vorstellung* as the German equivalent of "idea." Had the translator been acquainted with Sir William Hamilton's note on the history of that term, and the interminable confusion produced by it

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in philosophy after Locke, he would have been more discriminating.

'Physical Realism' comes from Oxford, and is chiefly of interest because it marks a reaction against the influence of T. H. Green in that university. The whole work betrays the method of psychological analysis and the historical subject-matter peculiar to Green, but the position assumed and the mode of argument are designed directly to counteract the whole scheme of idealism. It is true that the author, in the chapter on Kant's 'Critique,' has scarcely entered the threshold of transcendentalism; but in assuming the position of the physical sciences he is sure of sympathy from that triumphant spirit with which, somehow or other, philosophy has never been able to reckon successfully. This opposition to idealism is all the more significant coming, as it were, from the very ranks of Green's students, so soon after the most earnest of English philosophers had cast off his mantle, because the returning swing of the pendulum may be accompanied by a theory from which the author will have more to fear than from idealism. But the most timely observation is one which needs to be better known, or more honestly admitted, than it is. People have got the impression, which philosophers have been interested in encouraging, that idealism is a vantage ground for religion, and so opposed alike to materialism and atheism. But the author very justly observes:

"A philosopher may hold that God causes physical nature and man apprehends it. He may be theologically an idealist, psychologically a realist. On the other hand, he may suppose that all sensible data are psychical facts, and yet doubt the existence of God. He may be psychologically an idealist, theologically an atheist. The founders of natural theology had no thought of making psychical facts the beginnings of human knowledge. The followers of Hume hardly consider themselves supporters of the doctrine that God created the world. These distinctions are of importance, because there is a crude notion in our times that idealism in mental philosophy is necessary to theology."

Mr. Case, however, is not a sceptic. On the contrary, he is an orthodox dualist, as well as a "physical realist"; and as the only argument for dualism he gravely quotes the language of Jesus to his doubting disciples after his resurrection. If this is to be the consummation of the matter, we should be tempted to accept idealism out of sheer despair. Otherwise, the work has critical merit of a high order.

St. George Mivart, in five chapters, also opposes idealism upon the grounds of physical science; but he has the misfortune of not understanding the theory, since he identifies it with the denial of an external world. This is the common fault of the scientific mind. Mivart has been one of the ablest of Darwin's critics, and so is a specialist in the problems of evolution, although a work some years ago on 'Nature,' as well as the present one, shows considerable ability in metaphysics. But this on 'Truth' is a kind of summary of the author's views on psychology, physiology, geology, and theology, and may be interesting to those who care to see what a specialist knows about everything. The work is not without merits of its kind, but it is mainly an attempt to defend theism against the supposed atheistic tendency of Darwinian evolution. We would venture to ask the author, what is to be gained by setting up deity behind the process of evolution, when that process is presented to us only as an exhibition of power? The conception of God is a complex one, including the notion of a creative first cause and the idea of moral perfection. The phenomena of nature in demanding a first cause to explain them may present no traces of such moral action and order as would make it necessary or valuable to use the name of God in connection with them. There is no necessary connection between power and virtue, or between physical causes and moral ideals. Hence, in attempting to vindicate theological beliefs about the relation of God to nature, we may forget the surreptitious reasoning involved in supposing that the use of this conception to satisfy the demands of causal explanation will carry along with it any implication of moral qualities. We can at best be but cultivating an agreeable illusion, much as the saint who counts his beads with a belief in their spiritual efficiency. The author does not seem to be conscious that his first problem is to prove that "the survival of the fittest" is compatible with the moral ideal which the conception of God contains. Until he does this, he is only defending phrases for the sake of their associations.

A White Umbrella in Mexico. By F. Hopkinson Smith. With illustrations by the Author. Boston: Houghton, Mifflin & Co. 1889. Pp. 227.

THIS dainty book tempts the critic to superlatives of praise; it is such a breath of spring after the wintry wastes through which other writers of books on Mexico have compelled him to toil, it is so thoroughly successful in the single line the author proposes to himself to follow, and so faithfully reproduces the most unique savor of Mexican life. The writer knows nothing of Mexican trade or politics or statistics—let the reader thank heaven for that, and take courage. Mexican archæology and history he puts firmly to one side; would that many of his predecessors had done the same! He is content, as he himself says, to

"revel in an Italian sun lighting up a semi-tropical land; to look up to white-capped peaks towering into the blue; to look down upon wind-swept plains encircled by ragged chains of mountains; to catch the sparkle of miniature cities jewelled here and there in oases of olive and orange; and to realize that to-day, in its varied scenery, costumes, architecture, street life, canals crowded with flower-laden boats, market plazas thronged with gayly dressed natives, faded church interiors, and abandoned convents, Mexico is the most marvellously picturesque country under the sun. A tropical Venice! a semi-barbarous Spain! a new Holy Land!"

In a word, Mr. Smith gives us in this book what has never before been worked out so fully and so delightfully—the immense charm which Mexico has for a Bohemian saunterer, with a keen eye for the artistic, and a decided preference for the society of beggars and idlers and sacristans. Others have hinted at all this often enough; he is the first to give himself and his book wholly up to it. We must let him state the matter again, writing this time of Zacatécas:

"No such scene exists in any quarter of the globe where I have wandered: a brilliant sky, blue as a china plate; blinding sunlight; throngs of people in red, orange, or blue; women in rebozos and scarlet sashes; men wearing vermilion zarapes about their shoulders, with wide hats trimmed with silver, and breeches of pink buckskin held together down the sides by silver buttons; donkeys piled high with great sacks of silver ore; cavaliers on horseback, with murderous rowels in the heels of their riding boots, their Mexican saddles festooned with lassos and lariats; soldiers, carrying carbines and mounted on spirited horses, guarding gangs of convicts, each one of whom staggers under a basket of sand held to his back by a strap across his forehead; great flocks of sheep blocking up the narrow streets, driven by shepherds on horseback, changing their pasture from one hillside to another—the whole completes a picture as strange as it is unique."

Mr. Smith appreciates as highly as many of his predecessors the architectural and artistic treasures to be found in so many Mexican churches. We do not remember that any one, however, has so roundly denounced the madness of those restorers and renovators who have already gone fearful lengths of hideousness, and whose career seems yet to be far from a close. He gives expression to a fear, in one case, which many others must have felt in many cases:

"Some day they will take up a collection, or an old Don will die and leave a pot of money, 'to restore and beautify the most holy and sacred, the church of Santa Clara,' and the fiends will enter in and close the church, and pull down the old pictures and throw away the lamps, chairs, and candlesticks, and whitewash the walls, regild the huge frame of the sacristy door, and make dust-rags of the pomegranate silk. Then they will hang a green and purple raw silk terror, bordered with silver braid, in its place, panel the whitewashed walls in red stripes, bracket pressed-glass kerosene lamps on the columns, open the edifice to the public, and sing Te Deums for a month in honor of the donor."

The publishers have done their best to give Mr. Smith a proper setting-out, and the book's heavy paper and wide margins and cover of white and gold and gray make up a very pleasing total. For the illustrations one ought to be profoundly thankful if only because they are new; the deplorable old plates which have so long gone the rounds can easily be spared. But Mr. Smith's sketches have more than this negative merit; they seem to us to be on too small a scale, as a rule, to yield the best effects, but they are most thoroughly worked out, are usually characteristic bits, and somehow fit in better with the good-natured and ostentatiously lazy air of the book than would more ambitious work. A few slips in Spanish, and an occasional failure to hit off usage, help to reëstablish the critic in his belief in the fallibility of mortals.

Sigurd Slembe: A Dramatic Trilogy. By Björnstjerne Björnson. Translated from the Norwegian by William Morton Payne. Boston: Houghton, Mifflin & Co. 1888.

THIS poem is presented by the translator as the finest work of Björnson, and it is clear that great care has been devoted to the English of the version, but it has not been rendered so successfully as to make it an English poem. The story is a long one. It is divided into three parts, corresponding to three periods in the life of the hero. Sigurd was an illegitimate son of Magnus Barfod of Norway, and, on learning the secret of his birth, makes it the aim of his life to obtain his rightful place as a sharer in the crown to which he is heir. He determines to go on crusade first, and by accident comes to Scotland, where he remains in the service of the King, and is attracted to a feud going on in the Orkneys, which he feels called upon to settle. He obtains power there, but fails to use it, and at last deserts the place, notwithstanding he has won the love of a maiden with whom it is "death" to part. He then goes on crusade for several years, returns to Norway, claims his place peacefully, and is refused his right; his mind is embittered by seeing the state of affairs, and after a while he gathers an army and fights for his crown, but is beaten and dies.

The poem, not being a drama, is not dependent on these events for its interest. It is, in fact, what it is now the fashion to call the history of a soul; and it does not avoid the danger of such a poem—it falls between two stools. It is neither dramatic nor psychological, neither action nor thought; but one phase is continually interfering with the other, to the blur

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and confusion of both. One fails to see why Sigurd, who is eminently a man of action, is unable to take wise and definite resolutions at the proper moment; and as to the other characters, they strike a foreigner as very primitive types. A scene may be laid in the childhood of nations, but the hero of a psychological drama must be more than a Fortinbras; and the most real part of this poem is its blood and savagery, not its introspection. The incapacity of the characters even for practical thought is amazing; none of them—except *Koll*, who is a kind of oracular owl—behaves with sense in the circumstances; indeed, when *Harald*, an exceedingly childish imitation of *Hamlet*, and the King, who is no more nor less than an imbecile, are included, the whole poem offers a mélange of mental incompetency which it would be hard to rival. There seems to be a Christian lesson at the bottom of it all, but it is difficult to make out anything more than that a heavenly inheritance is better than the Norwegian crown; and Sigurd had spiritual experiences, but they are not defined or motived so as to be made necessary parts of his life.

Altogether, the poem seems to us a "sport," such as native literatures show examples of not infrequently in their early development, owing to unreconciled elements in the culture and the material of the poet—neither pagan nor Christian, neither action nor reflection, neither idyl nor real life, but a mixture of all these. Yet it is to be remembered that in the Scandinavian and Teutonic imagination there is often a *simplesse* which is a stumbling-block to the taste and interest of the foreigner. It is needless to say that in passages independent of the action there is often poetical feeling, especially where landscape is used as a background; and there are also interesting expressions of political ideas bearing on the general lot of man and the character of aristocracies. But this is a modern note wholly out of keeping. In Norway the poem is highly regarded, and consequently it must fall in with national feeling and ideas, by a harmony the secret of which is unknown to us.

John Lee of Agawam (Ipswich), Massachusetts, 1634-1671, and his Descendants of the name of Lee. With genealogical notes and biographical sketches of all his descendants, so far as can be obtained, including notes on collateral branches. Compiled by William Lee. Albany: Joel Munsell's Sons. 1888. 8vo, pp.

THE name Lee (or Leigh) is quite common in England, especially in Cheshire, and several distinct and unconnected stocks have been planted in the New World. The book under notice traces the Ipswich family, descended from a John whom a dubious tradition states to have been born at London. This branch has prospered and increased, and has found a very careful and diligent historian. We cannot commend the rather diffuse style of printing adopted, but that is our only criticism, and we doubt not the book will be warmly received by the family, while it secures an honorable place on the shelves of the collector.

BOOKS OF THE WEEK.

Adams—Cunningham. The Swiss Confederation. Macmillan & Co. $4.
Bastin, Prof. E. S. College Botany, including Organography, Vegetable Histology, Vegetable Physiology, and Vegetable Taxonomy. Illustrated. Chicago: G. P. Englehard & Co. $3.
Boardman, Rev. G. D. The Ten Commandments: A Course of Lectures delivered before the University of Pennsylvania. Philadelphia: American Baptist Publication Society. $1.50.
Browning, R. Poetical Works. Vols. XI. and XII. Macmillan & Co. $1.50 each.
Callendar, H. L. A Manual of Cursive Shorthand. Macmillan & Co. 50 cents.
Church, Rev. A. J. Henry the Fifth. Macmillan & Co. 60 cents.
Deighton, K. The Winter's Tale; with an Introduction and Notes. Macmillan & Co. 60 cents.
Eliot, Annie. An Hour's Promise. Cassell & Co.
Fitzgerald, Caroline. Venetia Victrix. Macmillan & Co. $1.25.
Fox, W. F. Regimental Losses in the American Civil War. 1861—1865. Albany Publishing Co.
Franklin, Rev. B. Marriage and Divorce in Physical, Psychical, Moral and Social Relations; according to the Law Natural and Revealed. E. & J. B. Young & Co. $1.50.
Hall, Rev. J. G. Shakespeare versus Ingersoll. Cleveland, O.: The Burrows Brothers Co.
Hardy, A. H. The Maid of Bethany: A Study of the Christ. Springfield, Mass.: Author's Edition.
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Fine Arts.

THE ACADEMY EXHIBITION.

THE present exhibition of the National Academy of Design is not the best it has held, yet it contains many more good works than one would at first imagine. The hanging has not been judicious, and the general effect of the galleries is disturbing and disagreeable, and the good work must be patiently looked for before it is found. Much of it is almost out of sight on the top row, and the rest of it is apt to lose from ill-chosen surroundings. Nearly all of the portraits have, by a singular whim, been placed together in the small east room, and the rows of life-sized figures thus seen together in a restrained space have an unpleasant effect. At the same time, their absence from the other galleries, where they would have been available, from size alone if from no other quality, as centring masses around which to gather the smaller canvases, gives these rooms a meagre and scattered appearance. Another result of the gathering together of some sixty portraits in one small room is that many of them must be sacrificed in the hanging, and it is, therefore, not astonishing to find that some of the best of them are "skied."

There is no better portrait in the exhibition than that, by Mr. Vinton, of William Simes, No. 245, which is so placed. It is good, clean, vigorous work, with a strong feeling of vitality and character about it—not a lovely canvas, but it represents a *man*. Mr. Vinton's other portrait, No. 303, which is on the line, is also a workmanlike piece of painting, but is not equal to the first in interest. Another of the good things is Mr. W. M. J. Rice's portrait of a lady seated at the piano, No. 257, which, though a trifle dry and hard, is a grave and serious effort, good in drawing and character, and deserves a better place than it has found. Other portraits which, while not as good as these two, yet seem to us to be too good for the lofty positions they occupy, are Mr. Denman's portrait, No. 307, and a pleasantly conceived and executed three-quarter length, No. 262, "Sister Lillie," by Edmond E. Tarbell. Mr. Wyatt Eaton is also among those who hold the top of the wall, but his picture this year is singularly infelicitous, and does not recall the painter of so many fine and sober works.

When we come down from these heights, and look at the portraits which are nearer the eye, we find, very naturally, that Mr. Chase first demands our attention. His "Lady in Pink," No. 251, is a delightful bit of color and of skilful handling, but the sitter is perhaps a little sacrificed to the gown, and the head is less satisfactorily solid and human than in some other of the artist's works. If, however, it is too much a picture of a gown, the gown itself is superbly painted. Mr. Eastman Johnson is represented by a sound and satisfactory "Portrait of a Gentleman," No. 260, and a less satisfactory portrait of a boy; Mr. Blashfield, by a handsome and vigorous, but somewhat too academic portrait of a lady; Mr. Millet, by a delicately painted "Portrait of Miss W.," No. 279; Mr. Frank Fowler, by a clever head entitled "Jeanne" and a portrait; and Mr. R. G. Hardie, by a workmanlike portrait of Mr. Horace White. Mr. Dewing has a small bust-portrait of a lady here, No. 304, and a small full length of a "Girl in Black," No. 386, in the South Gallery, which possess the unmistakable distinction that marks his work, but which seem to us less fully successful than the "Lady in Yellow" of last year, or the even more beautiful portrait exhibited at the Society of American Artists two years ago. They are delicately and beautifully drawn, but the "Girl in Black" is certainly too tall, and both pictures seem a trifle artificial in color. Nevertheless they are among the best things in the exhibition. Mr. Beckwith's little head called "Monsieur est servi," No. 247, is in his best vein of direct and free painting, and is cooler and better in color than some of his efforts have been.

The place of honor in the South Gallery has been most properly given to Mr. Hovenden's large canvas, "In the Hands of the Enemy (after Gettysburg)," No. 360, which is by odds the most important piece of genre in the exhibition. The story told is a serious one, which is as well if we are to have stories in paint, and it is well and dramatically told, without suspicion of melodrama or exaggeration, but with right moderation and reserve. The abstinence from blood is especially noteworthy. While without any special charm or brilliancy of technique, it is thoroughly and soberly painted; and in one part, the group to the left lit by the window with its drawn curtain, the painting is nearly beautiful. The only serious fault of the picture is the slip in the drawing of the head of the girl who stands behind the wounded Confederate's chair, and the smallness of her hand, which give a slightly petty air to the composition. Take it for all in all, it is a most meritorious performance, and is certainly the best thing that Mr. Hovenden has yet done.

Two other genre pictures that will probably come in for consideration when the prizes are given (Mr. Hovenden being an Academician, and therefore ineligible) are Mr. Blum's "Two Idlers," No. 132, and Mr. Wiles's "Sonata," No. 234. Mr. Blum's picture is astonishingly clever and able, and contains delightful bits of painting which for technical quality could not be surpassed by Boldini himself, but he has either not cared for or not succeeded in preserving truth of value, and some of the tones

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in the foreground are much lighter than they should be in relation to the sunlight beyond. Mr. Wiles's canvas is of evener merit, and while it has nothing quite so charming in it as some bits of the other, it is free from the faults of the other also. Both pictures are so good that the Clarke prize would be well bestowed upon either.

Two good bits of work by young Americans residing abroad, which deserve better places than have been given them, are Mr. Simmons's "Old Man and Child," No. 429, and Mr. Theodore Earl Butler's "A Widow," No. 421. Mr. Butler is a very young man, who has been studying in Paris for a few years, and this is, we believe, the first picture he has sent back. It is a grave and serious piece of work, and gives decided promise for the future. Mr. Simmons's work is already well known, and this piece of it is well up to his standard. Another piece of solid and quiet painting, possibly a little dry and lacking in atmosphere, but careful and realistic, is Mr. Ward's "Block Maker," No. 354. A large picture, which we hardly know whether to class as genre or historical painting, is Mr. C. S. Pearce's "Saint Genevieve," No. 494. It contains much good drawing and clean, respectable painting, but is painfully hard and airless.

Mr. H. Siddons Mowbray falls something below his best standard in the present exhibition. His "Arcadia" and "The Calendars," Nos. 513 and 317, contain, as a matter of course, much skilful and charming painting, but the latter is confused in perspective, and neither seems as careful and thorough in drawing as his work is wont to be. Mr. F. C. Jones is also less well represented than we could wish. Mr. R. V. V. Sewell and Mrs. Amanda Brewster Sewell send pictures showing careful observation and conscientious painting of figures in the open air, but their work is most interesting from its remarkable similarity. Another lady, Miss Frances Hunt Throop, sends a half-length figure of a little girl in a black dress, entitled "Spring Carnations," No. 182, which shows painter-like qualities, as does Mr. C. R. Grant's "The Morning News," No. 380.

Mr. Theodore Robinson, who has just returned from France, where he has been strongly influenced by Claude Monet and the Impressionists, sends a curious little canvas entitled "A King's Daughter," No. 471, in which a naïve classicism in subject is combined with extreme impressionism in handling. It is full of light and air, and the upper part of it is beautiful in form as well as in color, but the artist seems to have tired of his work before he had completed it, and the lower portion is less happy. As the picture stands, however, it is refreshingly airy and sunny, and makes the pictures about it seem heavy and painty by comparison. From the treatment of the nude Mr. Brush's naked Indian "Potter," No. 527, stands halfway between genre and the classic in art. Mr. Brush's severe, minute, and somewhat hard manner is well known and is well exemplified in the present work. The man's body is strongly drawn and modelled, and the painting of the leopard-skin and other accessories is wonderful in its way; but he has apparently found no model having the desired type of features, and has painted the head from memory or imagination, with some loss of solidity and construction.

Of the strictly classic there is very little in the Academy, the chief exceptions being Mr. Low's "Purple and Gold," No. 445, with its powerful and somewhat acid color scheme; Mr. Henry O. Walker's pleasing "St. John," No. 514; Mr. G. R. Barse's "Polyxena," No. 152, which shows knowledge and draughtsmanship, but is somewhat heavy and unpleasant in color; Mr. Frank W. Benson's cleverly but slightly painted "Orpheus," No. 483; and Mr. Maynard's "The Scroll," No. 394. Mrs. Rosina Emmett Sherwood ought to have a very good chance for the Dodge prize with her little pastel called "A Nymph of Hymen," which is a very graceful production.

We now come to the landscapes of the exhibition, and from its size, as well as from the leading position among our landscape painters occupied by its author, Mr. Inness's "Coming Storm," No. 325, falls first to be considered. The picture is somewhat crude in color, and less harmonious and complete in treatment than most of Mr. Inness's later work, but has a grand dramatic power which makes one willing to forgive its shortcomings. It is not seen to so good advantage here as it was in his own studio, and needs a few moments of attention before its merit is appreciated, but after these few moments its force makes itself felt, and it inevitably produces a profound impression. Very different is Mr. Wyant's "Landscape," No. 347, with its delicate, pearly tonality and quiet charm. Mr. Thomas Moran has two pictures, of which the smaller, a "Venice," No. 183, though exceedingly clever, shows somewhat too strongly the influence of J. M. W. Turner. The larger, "A Pastoral," No. 383, possesses an undeniable scenic grandeur which would make one wish to see it as a back-drop in a production of "As You Like It." Its only fault as a composition is that it is a little too perfect, so that one feels that its trees and ponds have displayed considerable ingenuity in placing themselves so admirably. Mr. Homer D. Martin has two pictures, of which the smaller, called "Incoming Tide," No. 11, which is relegated to the corridor, is the better, and is a handsome piece of gray color.

Among the younger landscape painters, Mr. H. Bolton Jones, with an "Autumn," No. 328, in his familiar vein, Mr. Tryon, with a delicate piece of blue, called "Evening," No. 457, and Mr. Edward Gay, with his "Happy Summer Fields," No. 388, hold the first rank. Mr. J. Alden Weir is not as happy as he usually is in his "Rugged New England," No. 57, which is over-cold in color and over-pasty in handling to be altogether pleasant. Three very good landscapes which have been very badly placed are Mr. Eichelberger's "Harlem River," No. 430, Mr. Birge Harrison's "October in France," No. 537, and Mr. Charles H. Davis's "April," No. 547, while the worst treated picture in the whole exhibition, its merit considered, is Mr. W. A. Coffin's study of "The Rain," No. 34, a remarkably vigorous and truthful transcript of a difficult effect.

Mr. Horatio Walker, who may be classed as a landscape painter for the nonce, has a picture of some calves in a green field, No. 459, which he calls "Spring," and which has much of his usual refinement and charm. Mr. F. De Haven has an "Evening," No. 188, and Mr. W. Forsyth a "March," No. 215—handsome if sombre canvases both—and Messrs. Murphy, Palmer, Shurtleff, Bruce Crane, and Van Boskerck are fairly represented.

There is, as usual, but little sculpture, and what little there is is less fine than last year. Neither of Mr. Warner's contributions is as good as his fine bust of J. Alden Weir, nor is Mr. St. Gaudens's medallion of Robert Louis Stevenson, interesting as it is, equal to the best that he has done in this line. Mr. F. Edwin Elwell has a couple of clever sketchy busts in the picturesque manner that seems to be growing upon the sculptors of to-day, and Mr. French has a well-modelled bust of a boy.

As we have had some fault to find with the hanging of this collection, let us, in conclusion, do the Hanging Committee the justice to say that they have been very moderate in the amount of line-space appropriated for their own works.

It is to be regretted that the catalogue was not more thoroughly revised, as misprints, which must be annoying to the artists, are far from uncommon.

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